



Notice of a Meeting of the

REDCAR & CLEVELAND BOROUGH COUNCIL

**Minutes of the Proceedings of the
Borough Council and reports to Council**

August/September 2022

**Councillor Stuart Smith
Mayor**

**J Sampson
Managing Director (Head of Paid Service)**

REDCAR AND CLEVELAND BOROUGH COUNCIL

NOTICE IS HEREBY GIVEN

That a meeting of the Redcar and Cleveland Borough Council will be held on Thursday 8 September 2022 at 2pm in the Civic Centre, Ridley Street, Redcar and all and several Members of the said Council are hereby summoned to attend.

ORDER OF BUSINESS

Elect a person to preside if the Mayor and Deputy Mayor are not present.

- 1. Apologies for absence.**
- 2. To receive Declarations of Interest.**
- 3. To confirm the accuracy of the Minutes of the meeting held on 14 July 2022.**
- 4. To note the attendance matrix from the last meeting**
- 5. To receive any Announcements from the Mayor, the Leader of the Council or Cabinet Members.**
- 6. To receive any Announcements from the Managing Director (Head of Paid Service).**
- 7. To consider Questions from the Public for which Notice has been given.**
- 8. To consider and agree any reports from the Cabinet and the Council's Committees.**

	<u>Date</u>	<u>Committee</u>	<u>Minute No</u>	<u>Report Title</u>
A.	02.08.22	Cabinet	10	Senior Structure and Revised Scrutiny Arrangements (Report attached)

9. To receive Reports from Portfolio Holders.

**A) Report of the Cabinet Member for Highways and Transport
(HEREWITH)**

(A period of 10 minutes, or such longer period at the discretion of the Mayor, will be set aside for questions which must be succinct and relate directly to matters within the report).

10. To consider Reports.

Report of the Leader of the Council:

A) Decisions Taken Under Urgency Provisions (HEREWITH)

Reports of the Governance Director and Monitoring Officer:

B) Review of Proportionality and Distribution of Seats (HEREWITH)

11. To consider Motions.

12. To appoint Members.

Where there are vacancies or changes in appointment:

- To appoint Members of Council Bodies and Representatives to serve on other bodies to which Members are appointed by the Council; and
- To approve any changes to Committee membership and to appoint Chairs and Vice Chairs where appropriate.

13. To reply to Questions from Members of the Council.

Questions to the Chair, Members of the Cabinet, Chairs of any Committee or Sub-Committee, Members of the Fire Authority, Police and Crime Panel or the Tees Valley Combined Authority Scrutiny Committee, for which notice has been given.



JOHN SAMPSON

Managing Director (Head of Paid Service)
Redcar and Cleveland House
Kirkleatham Street
Redcar
Yorkshire
TS10 1RT

31 August 2022

14 JULY 2022

BOROUGH COUNCIL

A meeting of the Borough Council was held on 14 July 2022 in the Civic Centre, Redcar.

PRESENT His Worshipful the Mayor (Councillor Stuart Smith), Councillors Ayre, Baldwin, Barnes, Berry, Brady, Brook, Brown, Cawley, B Clarke, Cook, Craig, Cutler, Dowson, Fisher, Foggo, Foley-McCormack, Gallacher, Griffiths, Head, Hixon, L Holmes, Hunt, S Jeffrey, Kay, King, Lanigan, Lockwood, Massey, Morgan, G Nightingale, I Nightingale, Ovens, Pallister, C Quartermain, L Quartermain, Rees, Rider, Sandra Smith, V Smith, Thomson, Turner, Wells, Westbury, Williams and Wilson.

OFFICIALS K Boulton, D Boville, E Dale, R Davisworth, S Newton, A Pearson, P Rice, J Sampson, C Styles.

APOLOGIES FOR ABSENCE were submitted on behalf of Councillors R Clark, Davies, Fletcher, Gray, Hannaway, C Holmes, Holyoake, G Jeffery, Jones, Lax-Keeler, Moody, Waterfield and Watts.

DECLARATIONS OF INTEREST.

Councillors Ayre and Ovens declared an interest in Cleveland Fire Authority as Members.

9. **MINUTES**

RESOLVED that the minutes of the meeting held on 9 June 2022 be confirmed and signed by the Chair as a correct record and the attendance matrix be noted.

10. **ANNOUNCEMENTS**10.01 **Mayor's Announcements:**

"I would like to thank everybody involved in Armed Forces Day on 25 June the Deputy Lieutenant and High Sheriff of North Yorkshire attended and it was a lovely day well attended by the public.

This morning I was delighted to welcome the Queen's Baton Relay to the area which took place in Saltburn and along the Esplanade in Redcar, it's great that our area was involved as the baton has travelled throughout the world before returning to the UK, so I was happy to welcome it to Redcar & Cleveland."

10.02 **Leader Announcements:**

10.03 **Baton relay**

“This morning we welcomed the Queen’s Baton Relay into our borough. Residents who are leaders in their communities and who often have strong connections to charities deservedly had the honour of carrying the baton through Saltburn and Redcar as part of the build up to the Commonwealth Games in Birmingham.

It is an honour to be included on the route and is another example of a national organisation recognising Redcar and Cleveland.

10.04 **Equality and diversity**

I was proud to attend the Council’s first Equality and Diversity conference at Kirkleatham Walled Garden. Groups and individuals came together to discuss and learn about what we can do collectively to bring further harmony for everybody to local communities. We heard some inspirational speakers who really made everybody think about what they can do to make our borough equal for everybody. I would like to thank everybody whose hard work made the event such a success.

On a similar note, Council staff organised an event during Refugee Week to celebrate children in our care and care leavers who have been supported to claim asylum. Many have now received the right to remain and become members of the Redcar and Cleveland community.

10.05 **Duncan Place**

The work to transform Loftus continues. Planning permission has been granted to renovate Duncan Place to create a centre in the town where council services can come together in one improved building.

This includes the relocation of Loftus library into a new extension of the building, and spaces for youth and family activities in a brand-new community hall.

10.06 **SeAH**

It was a landmark day for Teesworks as work started on a new £400 million offshore wind factory. The factory is expected to create 750 jobs, with more created during construction and in the supply chain. It will become the biggest of its kind in the world. We have discussed the potential for Teesworks to transform the prosperity of our borough for a long time, so to see a major global company become the first to start work is hugely encouraging.

10.07 **Armed Forces Day**

Finally, I would like to thank everybody who turned out to mark Armed Forces Day. For two years the public have been unable to gather to pay tribute to servicemen and women who have given so much for their country. This year, it was great to see so many people enjoying the events and paying their respects to military personnel, past and present.”

11. **REPORT OF THE CABINET MEMBER FOR CHILDREN.**

Councillor Barnes presented a report which gave an update on her portfolio and answered Members’ questions in relation to it: - **NOTED.**

12. **DECISIONS TAKEN UNDER URGENCY PROVISIONS.**

The Leader of the Council requested Members note the following decision that had been taken recently using urgency provisions as set out in the Council’s Access to Information Procedure Rules and that required reporting to Council.

1. Approval to the extension of the Redcar & Cleveland Public Spaces Protection Order 2016 for a further three years with the proposed “leads by direction/order “and “dogs on leads” variations.

:-NOTED.

13. **REVIEW OF PROPORTIONALITY AND DISTRIBUTION OF SEATS.**

Members were requested to endorse the proposed changes to the distribution of seats on Committees and Boards as a result of recent changes in political proportionality.

RESOLVED that the proposed distribution of seats to the different Political Groups as set out in the report be agreed.

14. **MOTION**

- 14.01 **MOVED** by Councillor C Quartermain and duly seconded by Councillor Thomson that:

“Redcar & Cleveland Council believes that much more needs to be done to investigate the reasons for the mass death of sea creatures found on our coast in the latter part of 2021 and more recently.

Redcar and Cleveland Council also believes much more support should be given to our local fishing industry which has been adversely affected by the consequent radical reduction in fishing stock.

Since October last year dead crustaceans have been found on our beaches along with, the possibly associated, deaths of seal pups and porpoises.

The report of the Government Joint agency investigation into Teesside and Yorkshire Coast Crab and Lobster mortalities was published in May 2022 and concluded that as healthy crabs and lobsters were now being found the investigation was closed.

Redcar and Cleveland Council believes:

1. The decision to close the investigation was premature and demands that the Government re-open it as a matter of urgency to consider why the crustacean deaths continue.
2. A pertinent local investigation also be instituted as a matter of urgency, making every reasonable effort to understand and address this devastating incident.
3. That the Government proposal to support to the local fishing industry via the existing Seafood Fund is inadequate and calls on them to provide proper compensation for the lost income and livelihoods caused by this crisis.”

14.02 **AMENDMENT MOVED by Councillor Kay and duly seconded by Councillor King:**

“Redcar and Cleveland Council believes that much more needs to be done to investigate the reasons for the mass death of sea creatures found on our coast in the latter part of 2021 and more recently.

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Redcar and Cleveland Council believes:

1. The decision to close the investigation was premature and demands that the Government re-open it as a matter of urgency to consider why the crustacean deaths continue.
2. A pertinent local investigation also be instituted as a matter of urgency, making every reasonable effort to understand and address this devastating incident.
3. The Tees Valley local authorities, led by the TVCA, should work together in expressing concern to central government and commission a new independent report in the light of the inconclusive evidence. In addition, the ongoing situation should be monitored by the appropriate Scrutiny Committee from each local authority.
4. That the Government proposal to give support to the local fishing industry via the existing Seafood Fund is inadequate and calls on them to provide proper compensation for the lost income and livelihoods caused by this crisis.
5. That the possibility of creating a coastal hatchery to replenish crustacean stocks should be investigated.”

The motion was debated, put to the vote, and declared lost.

14.03 **FURTHER AMENDMENT MOVED by Councillor C Quartermain and duly seconded by Councillor Thomson:**

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2. The Tees Valley local authorities should work together in expressing concern to central government and commission a new independent report in the light of the inconclusive evidence. In addition, the ongoing situation should be monitored by a special Scrutiny Committee from each local authority.
3. That the Government proposal to give support to the local fishing industry via the existing Seafood Fund is inadequate and calls on them to provide proper compensation for the lost income and livelihoods caused by this crisis.
4. That the possibility of creating a coastal hatchery to replenish crustacean stocks should be investigated.”

RESOLVED that on the successful motion of Councillor C Quartermain and duly seconded by Councillor Thomson that:

“Redcar and Cleveland Council believes that much more needs to be done to investigate the reasons for the mass death of sea creatures found on our coast in the latter part of 2021 and more recently.

Redcar and Cleveland Council also believes much more support should be given to our local fishing industry which has been adversely affected by the consequent radical reduction in fishing stock.

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3. That the Government proposal to give support to the local fishing industry via the existing Seafood Fund is inadequate and calls on them to provide proper compensation for the lost income and livelihoods caused by this crisis.
4. That the possibility of creating a coastal hatchery to replenish crustacean stocks should be investigated.

15. **TO APPOINT MEMBERS**

RESOLVED that on the successful motion of Councillor G Nightingale and duly seconded by Councillor Lanigan that the following changes to committee membership be agreed:

Governance Committee

Councillor Gallacher to replace Councillor Lockwood

Employment, Health & Safety Committee

Councillor Kay to replace Councillor Wells

Councillor Gallacher to replace Councillor Lockwood

Councillor Lockwood to replace Councillor Brook

Regulatory Committee

Councillor Rider to replace Councillor Lockwood

Councillor Lockwood to replace Councillor Brook

Resources Scrutiny and Improvement Committee

Councillor Brady to replace Councillor Wells

Governance Committee

Councillor Holyoake to replace Councillor Brady

Children and Families Scrutiny and Improvement Committee

Councillor Cutler to replace Councillor Wells

Adult and Communities Scrutiny and Improvement Committee

Councillor Sandra Smith to replace Councillor Wells

Councillor Wells to replace Councillor Brook

Growth, Enterprise & Environment Scrutiny and Improvement Committee

Councillor Davis to replace Councillor Wells

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Tees Valley Combined Authority Overview and Scrutiny Committee

Councillor Jeffrey to replace Councillor Wells as the main representative
Councillor Brown to replace Councillor Lockwood as named substitute

Shared Appointments Panel

Councillor Kay to replace Councillor Wells

Appointments Panel

Councillor Hunt to replace Councillor Wells

Shareholder Committee

Councillor Berry to replace Councillor Wells

River Tees Port Health Authority

Councillor Wells to replace Councillor Kay

Tees Valley Audit and Governance Committee

Councillor Watts to replace Councillor Lockwood as the main representative.

Councillor Craig to replace Councillor Wells as the named substitute.

Cleveland Fire Authority.

MOVED BY Councillor King and duly seconded by Councillor Sandra Smith that Councillor Craig be nominated as the ungrouped Independent to sit on Cleveland Fire Authority.

AMENDMENT MOVED BY Councillor Lanigan and duly seconded by Councillor B Clarke that Councillor Wells be nominated as the ungrouped Independent to sit on Cleveland Fire Authority.

The motions were put to the vote, whereupon it was:

RESOLVED that on the successful motion of Councillor King and duly seconded by Councillor Sandra Smith that Councillor Craig be elected as the ungrouped Independent to replace Councillor Foggo on Cleveland Fire Authority.

16. **QUESTIONS FROM MEMBERS OF THE COUNCIL.**

16.01 **Question 1: Question from Councillor Jeffrey to Councillor G Nightingale, Cabinet Member for Corporate Resources.**

“During the weekend of 2/3 July the national FreeTech 24-hour bike race took place at the South Tees Motorsports Park causing considerable noise and disruption for resident for 24 hours from 12 noon on Saturday until 12 noon on Sunday.

Following the previous event in 2021, which caused similar disruption, I met with Officers to find out what could be done to alleviate the noise nuisance. I was promised a comprehensive noise survey would be carried out to monitor this and other events in order to assist with the overall noise picture for the site and to provide robust justification regarding whether to allow further events to go ahead.

This week, following complaints from residents I enquired on the progress of the survey and the results so far and was told to my dismay that it had not been commissioned.

Could the Cabinet Member now tell me:

1. When the promised survey will be carried out; and
2. When a full review of the land lease will be undertaken to ensure that the council as landowner is able to properly regulate the site so that residents are able to enjoy the comfort of their homes, whilst still allowing motorsports events to go ahead.“

16.02 **Councillor G Nightingale replied as follows:**

“Complaints about noise from the Motorsports Park have been received from time to time over a number of years.

They have been looked into by the Council’s Environmental team by placing noise monitoring equipment in residents’ houses when complaints have been received.

The site is occupied by 4 tenants who offer a mixture of motorcycle training, karting, moto cross and speedway. The karting operator has noise monitoring equipment on site and provides regular information to the Environment Team. The other tenants do not have equipment in place. However, the Speedway governing body does have limits on noise emissions for bikes which are strictly enforced and all tenants have an obligation under their lease with the Council to comply with all statutory authorities’ requirements for the operation of the site.

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I understand the matter was discussed with Councillor Jeffrey and members of the Assets and Environment Teams around 12 months ago.

It was apparent that complaints did not always coincide with events happening at the site. For example – there could be events running simultaneously at the track, speedway and Moto Cross with any complaints about noise.

Noise complaints have also been received when there have not been events running on the site. These may have been due to traffic on the A66 or the unauthorised use of the North Site on the other side of the A66. One of the possibilities discussed was that environmental factors such as direction and strength of wind played a part in noise attenuation at the site.

Consequently, setting up a formal survey to monitor noise at the site over an agreed period got underway, with the intention by March 2022 of having a contractor to commission a detailed noise assessment, assess compliance with current noise regulations, the impact of weather conditions on noise attenuation, advise on possible changes for noise management and the built environment in the surrounding geographical area.

However, technical problems emerged that created difficulties in appointing a contractor.

In the meantime, no complaints had been received since the summer of 2021 until now.

To attract a wider field of possible contractors a procurement process through NEPO is underway for a survey over 12 months to capture as much information about the use of the site but there is likely to be a significant cost to this.

Any action needed from the noise survey will be dealt with to ensure the tenants comply with the regulations of the appropriate statutory authorities.”

16.03 Supplementary Question from Councillor Jeffrey to Councillor G Nightingale:

“We welcome the Motorsport’s Park as good neighbours and the people of South Bank certainly want to work with them to ensure that they can do what they need to do and we can enjoy our lives as well but particularly the 24 hour events are causing significant concerns in the community.

The noise is intrusive and the number of complaints that I have received after this particular incident were significant including a petition being set up about the site. I am disappointed that a survey that we were due to start this year looks like it won't start till next year and I am concerned that these 24-hour events will go ahead in the meantime without any proper regulation. Will more be done to ensure that 24-hour events are properly regulated in the intervening period between now and when the survey conclusions are available?"

16.04 **Councillor G Nightingale replied as follows:**

"The 24 hour events are clearly something that are a real concern and it is right that the Councillor is monitoring what is actually going on and so it definitely needs looking into and if we can I am sure we can speed up the process of doing the regular survey. There is no point of having conditions in the lease if we don't try to enforce them."

16.05 **Question 2: Question from Councillor Wells to Councillor Gallacher, Cabinet Member for Economic Growth.**

"Please could it be explained has the money been recovered from the Enterprise Fund and what Redcar and Cleveland Borough Council intend to allocate this funding to?"

16.06 **Councillor Gallacher replied as follows:-**

"Unfortunately, this is not something that can be done particularly quickly because of the various steps required. However, progress is being made and we have so far carried out the following steps:

- New Directors have been appointed and a resolution to institute winding up the company was made;
- We have produced initial preparatory accounts and are making arrangements with the bank to allow us to speed up the winding up process. We are also liaising with HMRC in relation to finalising corporation tax return forms, although this cannot be completed until the finalised accounts have been filed;
- We are aiming to file the finalised limited company accounts to 31 March 2022 and complete, file and pay the appropriate corporation tax as soon as possible. There are some fees involved in closing the account and once these are cleared the remaining funds will be transferred to the Council; and,

- We anticipate completing this within the next 2 months, although this is dependent on issues such as how long HMRC may take to raise any queries. The next step following these actions will be to apply for the company to be struck off Companies House register, which needs to be published for a period of two months without objection before the company can finally be struck off.

Any proposed use of the remaining funds will be in accordance with the existing Cabinet decision. Indicatively and in accordance with the principles of the fund use, it is anticipated that the remaining funds will be used to support local businesses through the Council's existing Business Growth team however, this will be a matter for the Cabinet as to its final destination. I would like to take this opportunity to thank Councillor Baldwin for raising this issue as we were totally unaware of its existence and now we can hopefully get £250,000 back and benefit the businesses in this Borough."

16.07 **Supplementary Question from Councillor Wells to Councillor Gallacher:**

"This has been ongoing for 5 years and involved a hidden £250,000 of tax payers money. Why we could not use this during the Pandemic I cannot believe we did not know it was there. When we did find it, it has taken months and months and we had to take it to an Independent Meeting last week otherwise we would not have got an answer and it would still have been ongoing. If I was in arrears with my Council Tax you would be down on me in a matter of weeks so why are we not doing this for this money. Why are we pandering to businesses and letting our frontline services go to pot? The local estates around this area have no money at all and the Cabinet Members have asked for money. The Managing Director says there is none yet there is £250,000 sitting there doing nothing."

16.08 **Councillor Gallacher replied as follows:**

"I explained earlier why there had been a delay. We did not know about this until recently. It may have been 5 years but I would ask Councillor Wells why it had not been mentioned 3 years ago when they took control of the Council. I did not know about it until recently when Councillor Baldwin raised the topic and I am probably not the only person in this room who did not know about it until Councillor Baldwin raised it. As to where the funds go that is a decision for the Cabinet and not me"

16.09 **Question 3: Question from Councillor Cook to Councillor Gallacher, Cabinet Member for Economic Growth.**

“When will Havelock Park be adopted by the Council please? We have waited years for Keepmoat to fix the defects and they are not being undertaken. Residents are left with no road markings or bins which are much needed.”

16.10 **Councillor Gallacher replied as follows:-**

“The site benefits from planning permission spread over 3 planning applications determined through 2011 to 2013. The planning permission which established the 288 dwellings and estate layout was determined in 07/02/2013. As customary with most cases, the application and permission did not include details with regard to road markings and/or bins as this is dealt with through separate mechanisms. The housebuilder has since implemented the planning permission.

Outside of the planning process, at the appropriate time - during or post completion of the development - the Council can formally adopt public highway depending upon agreement with the developer.

We are currently working with Keepmoat to get their 3 phases up to an adoptable standard. The main outstanding element preventing adoption is the street lighting. Keepmoat has had problems getting their original sub-contractor back to site hence Bouygues will undertake these works for them. The replacement lanterns and paint have been received however they are still awaiting the new columns. We have been given a start date for these works of Monday 8 August, taking approximately 2 weeks on site.

The road markings for the junctions onto Mersey Road plus the lining and signing to the footway/cycleway have been agreed with Keepmoat. These are outstanding works plus a few minor other remedials.

Once the development has met our design guide standards, Redcar and Cleveland Council will be in a position for it to become highways maintainable at public expense.

Councillor Cook had previously asked for litter bins to be installed within the grassed area on Goldrill Gardens.

We will look at the provision of litter bins for the area as part of the issues to be resolved.”

16.11 **Supplementary Question from Councillor Cook to Councillor Gallacher:**

“We have been in negotiation with Keepmoat about this since at least 3 years and I have lived there for seven and a half they have not been coming to undertake the works despite the site walk arounds and defect lists which have been ping ponged back for years. Can we have a completion date because when we started first investigating this, Officers within the Council said adoption of these estates can take up to 15 years do not worry about it, but in the meantime we are not getting safer streets packs looked at, we cannot have any safer roads measures and bins have been an issue.”

16.12 **Councillor Gallacher replied as follows:**

“I appreciate your concerns and I will address these matters to try to get some resolution and a satisfactory date in the near future.”

16.13 **Question 4: Question from Councillor C Quartermain to Councillor Gallacher, Cabinet Member for Economic Growth.**

“When will Redcar's Regent Cinema open and what has been the delay.”

16.14 **Councillor Gallacher replied as follows:-**

“We are currently in advanced negotiation with a national independent operator and we will make an announcement once we have signed a contract but cannot currently do so due to commercial sensitivities. When we initially invited operators to run the cinema no one knew the extent to which Covid19 would restrict any of us, how long restrictions would be in place and how it would affect us and our economy. The Entertainment Industry and the cinema sector have been badly affected however, the industry now has a more optimistic outlook going forward. I recently met with the operator on site and look forward to visiting the Regent soon and enjoying what they are offering which will be welcomed by all residents of the Borough.”

16.15 Supplementary Question from Councillor C Quartermain to Councillor Gallacher:

“Prior to making the decision to completely demolish the existing cinema based on a building survey condemning it, I asked that consultation be carried out with the public on the detail of the decision making. Within that consultation though, not one person, asked for 3 mini screen cinemas to be created. Many commentators including a local expert on cinema operation advised against designing it this way siting economic, infrastructural and geographic factors that made it unviable, however, they were ignored. This new build and the decision to construct the cinema was moved forward and it was wholly down to the Independent and Liberal Democrat administration. In correspondence and e-mail by the Leader of the Independent Group, who subsequently stepped down from that role, revealed that the administration are not informed of what is going on with the cinema and the current delay. I have been receiving multiple suggestions and kind offers to provide support and get it opened as quickly as possible. I am also receiving suggestions as to alternative uses in the interim. What everyone wants though is to see it opening and thriving as soon as possible so why don't you know what is going on, why are you not in control of this project when you are elected to be overseeing these things? Does the Independent Administration regret not listening to what the public wanted and is there a plan B and if so, how long will the building remain empty before it is enacted?”

16.16 Councillor Gallacher replied as follows:

“We are imminently appointing an operator. As to the consultation and comments made by people they have been made by you, me or the general public who have no awareness of movements or changes within the operation of a cinema or cinema offering. The people who we are engaging with do, and many are taking this model forward rather than the old idea of the multiplex a big cinema with lots of seats but of course you need lots of customers. The model is changing, and I think we are ahead of the curve in that respect and this offer will offer a multiple facet not just cinema but the potential to open up to a theatre offering maybe a comedian or a speaker or something of that nature. Many of the cinemas now are looking for these niche products like the metropolitan opera casts worldwide, but you only get a limited number of people in there. There is an audience for this and hopefully that is what this will offer.”

The Mayor thanked Members for their attendance and declared the meeting closed.

Council

ATTENDANCE RECORD - 2022/23

Surname	First name	19.06.22 (AGM)	06.06.22	14.07.22	06.09.22	13.10.22	24.11.22	12.01.23	16.02.23	30.03.23	27.04.23	25.05.23 (AGM)	Total Meetings Attended / total possible
Ayre	Billy	✓	✓	✓									/11
Baldwin	Neil	✓	✓	✓									/11
Barnes	Alison	✓	✓	✓									/11
Berry	Peter	✓	✓	✓									/11
Brady	Charlie	✓	✓	✓									/11
Brook	Adam	✓	Apols	✓									/11
Brown	Alec	X	✓	✓									/11
Cawley	Ceri	✓	✓	✓									/11
Clark	Robert	Apols	✓	Apols									/11
Clarke	Bill	✓	✓	✓									/11
Cook	Carrie	✓	Apols	✓									/11
Craig	Julie	✓	Apols 4	✓									/11
Cutler	Graham	✓	✓	✓									/11
Davies	Wayne	✓	Apols	Apols									/11
Dowson	Deborah	✓	Apols	✓									/11
Fisher	Dave	✓	✓	✓									/11
Fletcher	Martin	✓	✓	Apols2									/11
Foggo	Cliff	✓	Apols 1	✓									/11
Foley McCormack	Chris	✓	✓	✓									/11
Gallacher	Chris	✓	✓	✓									/11
Gray	Tim	✓	✓	Apols									/11
Griffiths	Malcolm	Apols (3)	✓	✓									/11
Hannaway	Craig	✓	✓	Apols									/11
Head	Malcolm	✓	✓	✓									/11
Hixon	Andrew	✓	✓	✓									/11
Holmes	Craig	X	Apols	Apols									/11
Holmes	Lee	X	Apols	✓									/11
Holyoake	Shelagh	✓	✓	Apols1									/11
Hunt	Barry	✓	✓	✓									/11
Jeffery	Graham	Apols	Apols	Apols									/11
Jeffrey	Sue	Apols (3)	✓	✓									/11
Jones	Chris	✓	Apols	Apols									/11
Kay	Steve	✓	✓	✓									/11
King	Karen	✓	✓	✓									/11
Lanigan	Mary	✓	✓	✓									/11
Lax-Keeler	Yvonne	✓	Apols	Apols									/11
Lockwood	Mike	✓	✓	✓									/11
Massey	Chris	✓	✓	✓									/11
Moody	Shaun	✓	Apols	Apols2									/11
Morgan	Carole	✓	✓	✓									/11
Nightingale	Glyn	✓	Apols	✓									/11
Nightingale	Irene	Apols	✓	✓									/11
Ovens	Mary	✓	✓	✓									/11
Pallister	Lynn	✓	✓	✓									/11
Quartermain	Carl	Apols	Apols	✓									/11
Quartermain	Leah	✓	✓	✓									/11
Rees	Dan	✓	Apols	✓									/11
Rider	Vera	✓	✓	✓									/11
Smith	Sandra	Apols	✓	✓									/11
Smith	Stuart	✓	✓	✓									/11
Smith	Vince	✓	✓	✓									/11
Thomson	Philip	✓	✓	✓									/11
Turner	Andrea	Apols	✓	✓									/11
Waterfield	Stephen	X	✓	Apols5									/11
Watts	Anne	✓	✓	Apols3									/11
Wells	Billy	✓	✓	✓									/11
Westburny	Louise	✓	✓	✓									/11
Williams	Geraldine	✓	✓	✓									/11
Wilson	Margaret	✓	✓	✓									/11

Key	
✓	Attended
RA	Apologies Submitted (replacement attended)
Apols	Apologies Submitted (no replacement)
X	Did Not Attend (no apologies received)
C	Cancelled Meeting
n/a	Not a Member

Reason for Absence (NB Full details may not be provided for reasons of confidentiality)	
1	Personal Commitment
2	Work Commitment
3	Illness/Medical
4	Conflicting Council Commitment
5	Other

**CORPORATE RESOURCES DEPARTMENT
DEMOCRATIC SERVICES****Cabinet Minute Number:- 10****Report Title:- Senior Structure and Revised Scrutiny
Arrangements**

The Council is asked to agree the following Cabinet recommendation in relation to the report that was considered by Cabinet on 2 August 2022.

Minute Details: -

The revised senior management structure aimed to provide capacity and robustness in terms of service delivery and to meet the challenges the Council now faced as the Council emerged from the Covid 19 pandemic.

The re-alignment of the Council's Scrutiny and Improvement Committee arrangements were designed to achieve a more balanced split of work across Committees and enable a stronger focus on climate change, the environment and major developments from TVCA, Teesworks and the Freeport.

Following recommendations from both the Resources and Growth, Enterprise & Environment Scrutiny and Improvement Committees, Cabinet amended the title of the proposed name of the Growth & Teesworks (including the Freeport) Scrutiny & Improvement Committee to the Growth Scrutiny & Improvement Committee, with reference to the Tees Valley Combined Authority, Teesworks & the Freeport to be included within the Committee's remit, and

RESOLVED to:

- a) Approved the Managing Director's senior structure proposals, which had been modelled to achieve a balance between affordability and prioritisation of service delivery for the Borough.
- b) Noted the senior recruitment process had been launched for the immediate recruitment for the existing but vacant post of Executive Director for Growth, Enterprise and Environment, which would give a focal point to our key future drivers of climate and major investment into the Borough.

Recommendations from Cabinet: -

RESOLVED to recommend to the Borough Council that:

- c) The revised structure and approved the implementation of the re-evaluated Finance Director Grade be noted;
- d) The current Scrutiny and Improvement Committee arrangements were revised and that the following committees were constituted and take their place, with effect from the September of the 2022/23 civic year with the remits as set out within section 5.0 and Appendix 1 of this report be approved:
 - a. Adults, Wellbeing & Health;
 - b. Children & Families;
 - c. Corporate Resources & Governance;
 - d. Climate & the Environment (including Neighbourhoods & Culture);
 - e. Growth;
- e) Authorised the Monitoring Officer to amend the constitution accordingly.

SEE ATTACHED REPORT



Member Report

Senior Structure and Revised Scrutiny Arrangements

Report to: Borough Council

Report from: Managing Director (Head of Paid Service)

Portfolio: All

Report Date: 8 September 2022

Decision Type: Committee

Council Priority: All

HEADLINE POSITION

1.0 Summary of report

1.1 This report sets out recommendations to the Borough Council together with the relevant considerations, following Cabinet decisions made in relation to the Senior Structure and Revised Scrutiny Arrangements report at its meeting on 2 August 2022.

2.0 Recommendation

2.1 Following on from decisions by the Cabinet, the recommendation is that the Borough Council should:

- a. Note the revised senior structure and approve the implementation of the re-evaluated job grade for the post of Finance Director;
- b. Approve that the current Scrutiny and Improvement Committee arrangements are revised and that the following committees are constituted and take their place, with effect from the September of the 2022/23 civic year:
 - Adults, Wellbeing & Health;
 - Children & Families;
 - Corporate Resources & Governance;
 - Climate & the Environment
 - Growth;
- c. Authorise the Monitoring Officer to amend the constitution accordingly.

2.2 The Borough Council is also asked to approve more specific arrangements in terms of the Scrutiny and Improvement Committees, as set out in paragraphs 4.4 to 4.14 in this report including the introduction of two further special responsibility allowances within the Members Allowances Scheme (for the positions of Chair and Vice Chair of the additional scrutiny and improvement committee) and the establishment of a Climate Forum.

DETAILED PROPOSALS

3.0 What are the objectives of the report and how do they link to the Council's priorities

3.1 The report sets out decisions for consideration by the Borough Council, arising from the Cabinet meeting on 2 August 2022. The report also includes proposals regarding the more detailed arrangements for introducing the revised scrutiny and improvement structure. The revision of arrangements across the scrutiny and improvement committees means that there is a link to all of the Council's priorities with the intention that scrutiny capacity is increased.

4.0 What options have been considered

4.1 Senior Structure

The Cabinet report considered on 2 August 2022 set out various proposals for changes to the Senior Management Structure which were approved at that meeting. The majority of the proposals were for Cabinet approval. However, one element of the proposals was referred to the Borough Council in respect of the post of Finance Director, which is impacted by these changes and, hence, requires its job evaluation position to be revisited as a result.

4.2 As set out in the Cabinet report (at paragraph 4.21), this is because the result of the job evaluation process means that the revised post attracts a grade which equates to a salary of over £100,000. As with all posts, salaries are paid in accordance with job evaluation results in line with equalities requirements and to ensure fairness of approach.

4.3 It is not absolutely clear whether the requirement for Council approval applies in these circumstances as it generally applies to 'new' posts as opposed to posts where responsibilities have widened. However, for the sake of transparency, it is considered that the appropriate course is for Borough Council to be asked for its approval in relation to this element of the changes. Accordingly, the recommendations reflect this position.

4.4 Scrutiny

The Cabinet report sets out in detail proposals to increase scrutiny capacity by revising remits and adding an additional scrutiny and improvement committee. In basic terms, the proposals were that, with effect from September 2022, the scrutiny and improvement committee structure would be as follows:

- Adults, Wellbeing & Health;
- Children & Families;
- Corporate Resources & Governance;
- Climate & the Environment (including Neighbourhoods & Culture);
- Growth & Teesworks (including the Freeport)

4.6 During consideration of the report through the scrutiny cycle, recommendations were made that the name of the latter committee should be amended to include

reference to Tees Valley Combined Authority. During its deliberations, Cabinet felt that this would result in an unwieldy title and considered that the committee should be referred to simply as the Growth Scrutiny and Improvement Committee, and that the references to Teesworks, Tees Valley Combined Authority, and the Freeport should be included with the committee's remit. The recommendation from Cabinet reflects that position and, for the sake of clarity, the proposed remit for each committee is attached at Appendix 1. Alignment of each committee to current Cabinet portfolios is also shown within the Appendix (NB some slight discrepancies were noted within the document presented to Cabinet which have been rectified within the appendix).

- 4.7 The current recommendation from Cabinet includes reference to the Climate & the Environment (including Neighbourhoods & Culture) Scrutiny and Improvement Committee. In light of the above position with regards to the Growth Scrutiny and Improvement Committee and for the sake of consistency, it seems appropriate that the bracketed words should also be removed in this case and included within the remit. This position is reflected in the recommendation.
- 4.8 The recommendation from Cabinet asks that these new arrangements be implemented from September. In practical terms, time is tight for preparation of agendas/notices, which will need to be sent out very quickly after the Council meeting on 8 September 2022. Accordingly, it is requested that, in approving these revised arrangements, Borough Council agrees that standard agenda items for each committee will be rolled forward into each of the relevant committees within the new structure as appropriate, as will any agenda items that have previously been agreed for this cycle (for example, in one case, an external speaker has been scheduled to attend). Attempts will be made post-Council meeting to consult and agree any additional items with the relevant chair/vice chair if at all possible.
- 4.9 The proposed schedule in terms of scrutiny and improvement committee meetings is as follows:

Monday: Adults, Wellbeing and Health (10am)

Tuesday: Children and Families (10am)

Wednesday: Resources and Governance (10am.)

Thursday: Growth (10am)

Friday: Climate and the Environment (10am)

Approval is sought for these arrangements to be implemented.

- 4.10 During scrutiny meetings when the revised committee structure was discussed, concerns were raised that the creation of an additional scrutiny committee would result in difficulties with regard to attendance by members, given current commitments and some difficulties regarding the level of attendance at meetings more generally. That being the case, consideration has been given as to the possibility of reducing the membership of scrutiny committees down from 13 to 11 members (NB Resources Scrutiny and Improvement Committee has 15 members historically, due to its call-in responsibilities) and this would certainly be possible. However, this would mean that smaller political groups would be represented on fewer scrutiny and improvement committees than is currently the case once proportionality calculations have been applied. That being the case,

the proposal is that current levels of membership are maintained and that each committee (with the exception of Resources and Governance as outlined above) consists of 13 members.

- 4.11 Creation of an additional committee will mean there is a need to pay an additional two special responsibility allowances (chair and vice chair). The Independent Remuneration Panel have been consulted and agreed that payment at the current rate for existing scrutiny and improvement chairs/vice chairs would be appropriate and approval is therefore sought for the Members Allowance Scheme to reflect that position.
- 4.12 During the scrutiny process, queries were raised as to whether the proposed committees would need to be politically proportionate, the concern being that this may limit input from members with a particular interest in certain issues – specifically climate change. In general terms, the proportionality requirements do apply to scrutiny and improvement committees. They can be disapplied, but only by a vote in a meeting of the Borough Council, and only where there are no votes cast against such a proposal.
- 4.13 During the discussions, it appeared that a proposal of this nature would not have general support. However, the need and desire for wider involvement of members in relation to climate issues was recognised and, therefore, the proposed arrangements include creation of a Climate Forum, which will be open to all members and will meet quarterly, feeding its output into Cabinet and Scrutiny.
- 4.14 On the basis that the proposals seemed to have general support, proportionality calculations have been done and committee lists for the new structure circulated to the political groups and independent members for completion on a provisional basis, pending approval of the arrangements at the Council meeting on 8 September. If approved, then appointments will be implemented immediately and meetings called on that basis. If approval does not take place, then meetings will be called on the basis of the current committee membership and structure.

5.0 Impact Assessment

5.1 Climate Emergency - There is no direct impact as such arising from these proposals but the intention is to increase capacity for scrutiny and improvement of climate issues.

5.2 Health and Safety - No implications.

5.3 Social Value – No direct implications,

5.4 Legal –

Senior Management Structure Proposal

There is a general requirement for the Borough Council to approve 'new posts' which attract a salary over £100,000, the position in that regard is set out within the report above. The recommendations relate to an existing post which remains largely unchanged but additional responsibilities have been added and, therefore, the job evaluation outcome has changed as a

result. Failure to apply this result will mean that the role is not being paid as per the Council's Pay Policy Statement and pay structure.

Scrutiny and Improvement Proposals

Scrutiny committees are subject to political proportionality requirements and the proposals are made on that basis. This requirement may be disapplied by a decision of the Borough Council, but only where there are no votes against the proposal to take such action.

The Council's constitution provides a maximum number of special responsibility allowances that may be payable. Creation of an additional scrutiny and improvement committee will involve payment of an additional two such allowances (chair and vice chair). This will mean the Council will reach the maximum number of allowances that can be paid. In the event of other members becoming entitled to an allowance (for example, should an additional political group be established) then a report may be needed to seek approval for an uplift of that maximum number.

5.5 Financial - Creation of an additional committee will result in payment of two additional special responsibility allowances (ie chair and vice chair). The cost of this will be £2981 and £1037 respectively.

5.6 Human Resources - Creation of an additional committee will increase demand on the Democratic Services Team. There are some pressures within that team, and a vacancy currently exists which has not been filled after a recruitment exercise. However, assuming it is possible to fill this role, then it is considered that this additional work can be accommodated.

5.7 Equality and Diversity – No direct implications

6.0 Implementation Plan

6.1 Timetable for Implementing Decision: Subject to approval at Council on 8 September 2022, the proposals will become operational with immediate effect.

6.2 Lead Officer – Managing Director

6.3 Reporting Progress – The proposal will be implemented with immediate effect if approved.

6.4 Communications Plan - All Members will be involved in the making of the decision. There will be communication to staff and partners via the usual channels.

7.0 Consultation and Engagement

The proposed changes to the Scrutiny & Improvement Committees represent a change to the Council constitution. In line with usual procedures the proposals have been subject to consultation with Governance Committee, Cabinet and all Scrutiny and Improvement Committees prior to consideration by full Council itself. Comments arising from those discussion are covered within the report. The details

have also been discussed with Political Group Leaders and Scrutiny Chairs, as well as by the Task and Finish Group considering member engagement in climate issues.

8.0 Appendices and Background Papers

Appendix 1 – Proposed Scrutiny and Improvement Committee Arrangements

9.0 Contact Officer

9.1 Name: John Sampson

9.2 Position: Managing Director

9.3 Email address: john.sampson@redcar-cleveland.gov.uk

9.4 Telephone Number: 01642 771144

The remit and alignment of each committee with Cabinet Members and Council functions is set out in more detail within the following table:

Scrutiny and Improvement Committee	Service functions	Cabinet Member and Portfolio area	Scrutiny powers and responsibilities
Corporate Resources & Governance	<ul style="list-style-type: none"> • Financial Services and Accountancy • Local taxation, recovery and support • Asset Management • Information Technology • Audit and Assurance • Governance • Legal and Procurement Services • Democratic Services • Registrars • Information Governance • Human Resources • Policy & Performance • Communications 	Cllr Nightingale (Corporate Resources)	Call in arrangements
Children and Families	<ul style="list-style-type: none"> • Children's Safeguarding and Social Work • Fostering and Adoption • Children in our Care and care leavers • Early Help • Special Educational Needs • Children with Disabilities • Youth & Community Services • Children's Centres • Supporting Families • Health Visiting and School Nurses • Foundation for Jobs • Careers and Employability • Education including early years • School Crossing Patrols • Education Psychology • Attendance and Welfare 	Cllr Barnes (Children)	

	<ul style="list-style-type: none"> • Advocacy • Tourism and Culture • Customer Services and Libraries • Engineers • Fleet Management • Highways • Sustainable Transport • Public Transport • Strategic Transport • Flood prevention and coastal erosion • Car Parking • Emergency Planning • Waste and Recycling • Streetscene • Parks and Gardens • Countryside Services • Monuments and Cenotaphs • Bereavement Services • Community Safety • Private Sector Housing Standards • Gypsies, Travellers and Refugees • Homeless Prevention • Affordable Warmth 	<p>Cllr Foggo (Highways and Transport)</p> <p>Cllr Hunt (Neighbourhoods and Housing)</p>	
<p>Growth (including matters relating to Tees Valley Combined Authority, TeesWorks, Freeport)</p>	<ul style="list-style-type: none"> • Place Development Investment • Area Growth Plans • Industrial Estates • Planning and Development • Development Management • Planning Strategy • Taxi and Premises Licensing • Building Control • Housing Strategy • Business Engagement • Business Start-ups 	<p>Cllr Gallacher (Economic Growth)</p>	

	<ul style="list-style-type: none">• Business Support / Advice• Learning, Skills and Employment• Training and Employment Hubs• Employment Support• Adult Learning• Youth Employment Initiative		
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Cabinet Member for Highways and Transport

Annual Report for 2021/22

To: Borough Council

Date: 8th September 2022

From: Cliff Foggo, Portfolio Holder for Highways and Transport

Ref:

1 INTRODUCTION

- 1.1 This report provides the Borough Council with an update on progress, developments and key issues from the Highways and Transport Portfolio over the past year and sets out the plans for future service developments and improvements.
- 1.2 The Portfolio provides a number of frontline services, which are not only a statutory requirement, but are also services that affect the day to day lives of every resident in the Borough. These services include highways and engineering, strategic transport, fleet services, parking, community safety, CCTV, enforcement, street lighting, and operation of the Saltburn Cliff Tramway.
- 1.3 The last twelve months have been extremely difficult for everyone, and therefore the focus of the Portfolio has been to keep as many key services as possible operating as normal, despite increasing demands and fluctuating resource levels due to the impact of Covid.
- 1.4 Now that the situation has stabilised, we can continue to develop our plans to respond to changing legislation, council priorities, new initiatives, and long-term infrastructure investment. Infrastructure is something that we tend to take for granted and see as an issue that can be addressed in future years, although in reality it requires ongoing investment. It includes our adopted highway, bridges, walls, culverts, barriers, traffic lights etc, all of which require significant funding to maintain and preserve them.
- 1.5 The portfolio is also involved in a number of major projects both for the council and other partner organisations, which when complete will help to enhance the public realm but will also add additional capital and revenue expenditure. Teams across the council are working closely together to ensure that the significant investment in the borough can be maintained and is sustainable in future years.

2 HIGHWAYS AND ENGINEERING

- 2.1 Each year the Highways and Engineering Team undertake a resurfacing programme to keep the borough's roads in a safe condition, and to ensure that they retain their structural integrity. As the funds available to the council are limited by the amount of grant funding that is received, there is an ongoing assessment of the condition of roads, which is then used to draw up a list of roads to be resurfaced in priority order. In 2021/2022 68 roads were resurfaced (totalling circa 140,000m²), several footpaths, and two car parks. The team is working closely with contractors to reduce the carbon impact of these activities, through the use of different materials and changes to working practices.
- 2.2 The team are also responsible for the inspection and maintenance of all other highway assets to ensure that they are in a safe condition, including roadside gullies, culverts, crash barriers, road lining, signs, and lighting etc. This is an ongoing process of both scheduled inspections and responding to damage caused by road traffic accidents, flooding, vandalism etc. This is an extremely important function as the safety of highway users is of paramount importance, and there are significant legal and financial implications should any aspect of the highway be found to be the cause of any accident or injury.
- 2.3 In the winter, the council carries out the gritting of the key roads across the borough both day and night to mitigate the impact of snow and ice on road users. Last winter the team gritted approximately 29,400km of roads and were needed over 245 times day and night due to icy conditions and snow.
- 2.4 Flooding is becoming a more common problem due to the impacts of climate change and can directly impact on the safe operation of the highway. Roadside drainage systems need to be well maintained in order to operate effectively and upgraded where required. In heavy rainfall there are areas of the network where the volume of water is greater than it can cope with, requiring additional resource to be deployed to resolve the issue as quickly as possible. Clearing of roadside gullies in 2021/2022 were carried out 98% of the time as scheduled, with approximately 30 additional visits due to flooding or blockages.
- 2.5 The council also has an ongoing programme to mitigate local flooding issues with investment in new drainage schemes or maintaining and upgrading existing ones. In the last financial year 39 drainage schemes were delivered across the borough with more planned this year. The issue of flooding was to be investigated as part of the work of the member lead Adverse Weather Group, although it is proposed that this now falls into the remit of the Climate Change Forum.

- 2.6 The council is responsible for maintaining circa 450 highway structures including bridges, culverts, retaining walls etc. The first round of principal inspections is due to be completed by the end of the summer, followed by a procurement exercise, and works programme to repair identified defects in the region of £1m. This is part of an ongoing process to ensure that all key structures are safe and well maintained with a budget of £6m for future years.
- 2.7 Improvements to the road junction at Swans Corner are progressing well and are due to be completed by the end of September. This is mainly funded through the National Productivity Investment Fund with match funding from RCBC, which also included the junction improvements at Flatts Lane.
- 2.8 As soon as the Swans Corner project has been completed the team will move onto the junction improvements at Normanby High Street.
- 2.9 The highways capital programme for 2022/23 is split into a number of different elements with the main areas of spend shown below:
- £476k Highway improvements (residential parking, lining, disabled crossings)
 - £146k Drainage schemes
 - £1,881k Road resurfacing
 - £145k Bridges / coastal strengthening work
 - £35k Bus stop improvements
 - £72k Safer Streets schemes
 - £200k Normanby crossroads
 - £10k Speed Humps
 - £295k Traffic Management (traffic light upgrade, Traffic Regulation Orders)
 - £89k Crash barrier repairs
 - £50k Public Right of Way improvements

3 STRATEGIC TRANSPORT

3.1 City Region Sustainable Transport Settlement

The Tees Valley Combined Authority (TVCA) has received the sum of £310m for transport investment across the Tees Valley until 2027. They have announced some of their proposals for expenditure in the Borough which are:

- a five-year highway maintenance settlement (£17m)
- £6.9m to improve bus services along the Redcar to Middlesbrough via Eston corridor.
- £6.1m to improve bus services along the East Cleveland to Middlesbrough corridor from Brotton.
- Two new, or improved, railway stations at Redcar British Steel & South Bank which will support the Teesworks development (around £20m).
- Improvements to other stations in the Borough including, for example, an accessible footbridge at Redcar Central Station.
- The Wheels to Work motorbike and cycle hire scheme to support people into work, and the Tees flex demand responsive bus service (the latter service is subject to review this year).
- £2.59m for the western section of the Guisborough to Nunthorpe Active Travel Route and £4.44m for a walk/cycle route from Redcar to South Bank (part of this replaces the Redcar Town Deal proposal to connect Lackenby to Redcar).

3.2 Also, the following capital investment will benefit the Borough:

- Additional capacity at Darlington and Middlesbrough Railway Stations.
- Raising the line speed of the railway and increasing its capacity.
- Work to allow larger size trains to travel to Teesport (gauge clearance), thus reducing the cost of carrying shipping containers by rail by increasing the capacity of each train.
- Three cycle route improvement schemes in Marske, Saltburn, South Bank and Redcar subject to funding.

3.3 TVCA are committed to revenue expenditure to provide the Redcar Active Travel Hub, Child cycle & pedestrian training, travel planning advice through Let's Go Tees Valley.

3.4 TVCA have commissioned consultants, Deloitte, to investigate new ways of funding road schemes that aren't eligible for Government funding. In the Borough, these road schemes could include key junctions east of Greystones Roundabout along the A174 as well as other improvements. In addition, we will continue to seek appropriate mitigation from developers including those at the Teesworks site.

3.5 Concessionary fares scheme

Colleagues at TVCA have secured agreement with the bus operators in relation to the cost of the 2022/2023 scheme which allows eligible residents to travel by bus for free (or for a flat fare before 9:30 am weekdays). This year's offer will be expanded later this year to allow companions to disabled people to also travel for free.

Whilst the current patronage figures mean that we have a budget saving this year (scheme cost £1.96 nett), I must caution that the cost of future settlements may be considerably higher as inflation in bus industry costs feeds through into bus fares.

3.6 Bus patronage in the Borough

The latest figures provided by the bus operators show that bus use is recovering from the levels seen during the pandemic, but that they are about a fifth less than previously. We are supporting TVCA in their work to introduce a bus partnership with the operators to drive up bus use by improving services. One initial activity led by the bus operators is the Kids go Free offer this summer and we expect more action on fares, routes and waiting facilities this financial year.

Bus operators are experiencing significant cost pressures in much the same way as our residents and businesses. Fuel, wages, and vehicle operating expenses are areas of especial concern.

3.7 East Cleveland Bus

Officers have been working with TVCA to secure a trial scheduled bus service in East Cleveland to supplement the Tees flex demand responsive transport. This will connect our smaller communities to Saltburn Railway Station, the East Cleveland Primary Care Hospital and major shopping areas. I will be able to update members on the latest position at the meeting.

3.8 East Cleveland Train

An independent review of the analytical work carried out to date was undertaken during August. This review is by a specialist consultant and also reported on the attitude of the rail organisations involved in any future business case towards the proposal. I will be able to provide an update on the review findings as soon as they are available.

3.9 I am pleased that Cabinet has agreed our plan for transport investment in the Borough until 2030. This plan forms part of the Tees Valley Strategic Transport Plan and sets out schemes that will benefit residents and businesses. The Council is already making progress in delivering the schemes including through the preparation of evidence to support future funding applications. We have already

secured funding worth £665,000 from Sustrans for part of the Teesworks to Nunthorpe Active Travel Route to be delivered by the end of this financial year. We are also bidding to the Levelling Up Fund to deliver two more Active Travel Routes and are delivering year one of a maintenance programme worth nearly £27.5m by 2030.

3.10 South Bank Footbridge

We are continuing to make sure our assets are safe to use and fit for purpose in the future. An example is the South Bank Railway Station footbridge which provides both passenger access to platform 2 and a right of way to the western gate of Teesworks from residential areas to the south. A full assessment has been undertaken of this mid-life structure and I am considering whether replacement or refurbishment is the best option. Our work is being co-ordinated with that by TVCA who are providing an improved station to serve South Bank during the plan period.

4 ENFORCEMENT

- 4.1 The Enforcement Team continue to monitor areas across the borough for littering, fly tipping, parking and Public Space Protection Order (PSPO) contraventions.
- 4.2 The review of the control of Dogs PSPO introduced two new offences including dogs on leads by direction as well as identifying additional areas where dogs will be required to be on leads – mainly formal gardens.
- 4.3 A new PSPO at Cowbar relating to ASB activities associated with camping is currently being introduced which includes offences around fires, urination, and defecation as well as disposal of grey waste.
- 4.4 The Team continues to respond to hotspot areas for all offences as well as established patrols and work along with Streetscene & Community Safety on specific projects.
- 4.5 The following gives an overview of enforcement action since September 2021:
 - Parking Penalty Charge Notices - 3913
 - Blue Badge Applications – 2950

Fixed Penalty Notices

- Littering – 125
- Flytipping – 49
- Dogs on Beaches – 20
- Dog Fouling – 13
- Gated alley Bin left out offence – 1
- Majuba Vehicle Nuisance Offence - 2

5. PARKING

5.1 The Council is responsible for the management and enforcement of both on and off-street parking throughout the borough, including a number of resident parking zones. A Parking Strategy and associated Delivery Plan was adopted in March 2020 which included a number of work streams and projects to improve the performance of the service, resolve several historic parking issues, and give a more consistent approach to parking provision and charging.

5.2 The following gives an overview of the Delivery plan actions and the progress that has been made to date: -

- Implement parking restrictions in Newton-under Roseberry to resolve highway safety issue caused by cars parking on the roadside -**Complete**
- Introduce parking charges at the council owned parking bay at Newton-under Roseberry – **Complete**
- Implement parking restrictions at Hutton Village to improve highway safety and access – **Complete**
- Re-introduce parking permits at Guisborough Forest Walkway – **Complete**
- Improve car park and toilets at Fountain Street Car Park in Guisborough – **Complete** (Place Investment Team Project)
- Introduce parking restrictions and residents parking zone in Skinningrove to resolve visitor parking issues and access issues – **Complete**
- Review layout and use of the car park in Skinningrove – **Under Review**
- Improve the quality of the car park in Skelton High Street – **Complete** (Place Investment Team Project).
- Provide additional car parking capacity in Loftus – **In Progress** (Place Investment Team project).
- Implement parking restrictions at Cowbar – **Complete**
- Improve parking provision at Margrove and Charltons – **Complete** (Public Realm Project)
- Undertake feasibility work at Rosedale and Farndale Garden Lingdale to alleviate parking pressures – **On hold following consultation**

- Review of parking and transport in Saltburn in conjunction with projects being delivered by the Place Investment Team – **In Progress**
- Implement new parking arrangements at The Stray car parks – **Complete**
- Introduce Public Space Protection Order at Majuba car park to resolves anti-social behaviour issues – **Complete**
- Designate Majuba Car Park and as camper van friendly site for overnight use – **On Hold**
- Review car parking provision at Cotham – **In Progress** (as part of Place Investment Team Projects).
- Consider the implementation of time limited parking and improved signage at Windy Hill Lane Marske – **On Hold**
- Introduce parking charges at Flatts Lane Country Park – **On Hold**

5.3 The issue of residential parking was not considered within the scope of the Parking Strategy, although this is an issue that affects residents throughout the borough. A budget has been identified to fund improvements to resident parking which will be prioritised through the Safer Streets process as the demand will undoubtedly be greater than the budget available and may require support of other partners.

6. **COMMUNITY SAFETY**

6.1 Community Safety Partnership

Redcar & Cleveland Community Safety Partnership (CSP) are in the second year of the 3-year Community Safety Plan. The partnership continues to be well attended by all partner agencies including Cleveland Police, Cleveland Fire Brigade, Beyond Housing, Probation and Youth Offending Services, RCVDA, Police and Crime Commissioner as well a number of council services from both Adults and Children's Services.

The agreed priorities are reducing anti-social behaviour, reducing vulnerability and reducing business crime

In addition, the partnership is focusing on serious violence – in line with Serious Violence Duty which requires agencies to come together to identify risks and put in place suitable support.

The CSP has the responsibility of ensuring any domestic homicide within the borough is reviewed, and in the last year the third review was completed. This case is currently being considered by the Home Office Panel for Domestic Homicide.

6.2 Community Safety Groups

The three Community Safety Group continue to meet on a monthly basis. These operational groups review crime statistics for each area and engage in multiagency plans to address individual and community issues.

Each group is responsible for the deployment of cameras as well as resources including Targeted Youth (Streetz) teams to offer diversionary activities, some of which is funded by Police & Crime Commissioner. Key areas of business in the areas are:

- Greater Eston – ASB around Fabian/Burns Road, Fire setting in Spencerbeck Woods
- Coastal – ASB on Roseberry field and surrounding area, Begging in High Street,
- Guisborough & East Cleveland – ASB in Guisborough (Helmsley Drive & Rectory Lane)
- All groups have experienced issues with Off-road bikes and an increase in Youth violence (use of weapons). Separate Task and finish groups are working on these issues.

6.3 Prevent

Representatives of various council services alongside other agencies continue to work together on the Prevent Agenda. Preventing individuals becoming drawn into terrorism related activities or being radicalised is long established. Whilst Cleveland is not a funded area, we have recently benefited from the provision of a Home Office Prevent Co-ordinator for the Region. Our Prevent team work in collaboration with the teams in the other Tees Valley Authorities. A recent Self-Assessment has been completed and the Bronze Group are now tasked with working on a revised action plan.

6.4 Protect & PALS

The council has recently agreed to take part in a Publicly Accessible Locations Pilot. This pilot is designed to establish and assist councils in putting in appropriate measures to try to prevent acts of terrorism.

These measures include:

- essential training for council staff relevant to their role
- reviews of policy and procedures
- consideration of physical prevention measure to key areas
- ensuring that new developments consider protective measures
- ensuring that any events held within the borough adequately assess the risk
- ensure suitable measures are implemented where required

6.5 Public Space Protection Orders

We currently have a number of Public Space Protection Orders – many are related to alley gated schemes, and most recently we have added 3 additional alleys in Redcar (Muriel, Alfred, Charles and Charlotte Street). The schemes have recently been undergoing “alley-greening” activities.

The Dog Control Powers PSPO has been reviewed and extended for a further 3 years. New elements have been added including, Dogs on Lead by Direction and specific areas where dogs are now required to be on leads including formal gardens e.g., the Italian Gardens at Saltburn

A Review of Vehicle Nuisance PSPO at Majuba Car park is currently underway and consideration is being given to extending the scope to include other areas or locations within the borough as well as other offences.

We are also considering varying the existing Alcohol PSPO to include Aggressive Begging, following an increase in incidents over the last 18 months.
Anti-Social Behaviour

- 6.6 Three Anti-Social Behaviour (ASB) officers continue to work closely with Cleveland Police and have secured a number of House Closures as a result of ASB perpetrated by tenants, Anti-Social Behaviour Injunctions as well as Community Protection Warnings and Notices. It should be noted that often perpetrators of ASB are known to Social Services and any action taken is with consultation with those services. This results in the ASB team attending multi-agency meeting to support and agree suitable plans for those individuals.

Since the outbreak of Covid the team have noted a significant increase in the number of referrals for Neighbour issues and calls for service for Anti-Social behaviour (not all children).

7. **SALTBURN CLIFF TRAMWAY**

- 7.1 After 2 years of being closed due to Covid the Cliff Tramway opened on the Platinum Jubilee. Difficulties recruiting resulted in not be able to open full time until mid-July, however patronage has been excellent, and the attraction will be open 7 days a week until the end of October when it will revert to Friday to Monday opening until the end of the year. Major changes to have been made to the safety systems that are required in order to meet the requirements of LOLER (Lifting Operations and Lifting Equipment Regulations).

7.2 During the last year the Tram has featured in a number of requests for filming, including Smoke & Steel as well as Radio and magazine articles – including Living North. ([Why You Should Ride on The Saltburn Cliff Tramway in Redcar and Cleveland for a Great Day Out | Living North](#))

8. FLEET SERVICES

8.1 The team are responsible the provision and maintenance of a wide range of vehicles and equipment to support the delivery of front-line services. This includes a budget of circa £2m per year on the replacement of vehicles to ensure that the council's fleet is as efficient as possible, reliable, and contributes to mitigating the impact of vehicle use on climate change.

8.2 Investment over the last 12 months has included the purchase of an electric mayoral car, home to school buses, seven small road sweepers, as well as a range of ancillary equipment for the various services.

8.3 Planned purchases for this financial year include:

- 2 large gritters for winter maintenance
- 28 electric vans
- 7 refuse collection vehicles
- 1 telehandler
- A range of equipment for the Clean and Green Team

8.4 The team are continually reviewing the impact of changing technology on new and existing fleet and have been involved in the trial of an electric refuse collection vehicle. Although only with the council for a limited time it did prove a worthwhile trial that could be adopted in future should the technology become more affordable.

8.5 A more immediate advancement in more sustainable vehicle operation is the use of Hydrotreated Vegetable Oil (HVO) in diesel vehicles. It is currently being trialled in the smaller street sweepers but has the potential to be used across the diesel fleet giving a significant reduction in vehicle emissions.

8.6 The service is also investing in rolling out vehicle tracking devices across the service which offer a number of benefits. They will provide detailed telematics information on driver behaviour that will help to inform training requirements, enable managers to improve working practices, reduce mileage through better routing, and improve safety (especially in lone driver scenarios).

- 8.7 Investment is also being made in improving communications with the installation of a new radio system across the waste collection fleet. This will help with day-to-day operations and enable supervisors and drivers to safely communicate throughout the day on service progress or issues.
- 8.8 New technology is also being used to support the maintenance and safety checks of vehicles with the implementation of a new fleet management system.
- 8.9 There are however a number of service pressures at present many of which are outside of the council's control including:
- Staff recruitment and retention
 - Vehicle replacement costs
 - New vehicle delivery time scales
 - Increasing vehicle hire costs
 - Fuel costs

8.10 Staff Recruitment and Retention

This has been an area of increasing concern over the past year the service is dependent on a small team of skilled fitters for the maintenance of the Council's fleet. Although a recent service review resulting in an increase in salaries across the team, it has still been difficult to attract new staff to fill the current vacancies, and the potential of losing more staff in the near future. These fitters are particularly difficult to replace as they must have expertise in repairing a range of equipment from small grass cutters to large refuse collection vehicles. The Fleet Manager is working closely with the HR team to find new ways of advertising posts and highlighting the benefits of working within the council's Fleet Service and the council as a whole.

8.11 Vehicle Replacement Costs

As with many other areas of the council we are seeing a significant increase in the costs of operating the service, both in terms of the capital cost of vehicles but also the costs to repair and maintain them. This will mean that in coming years the number of vehicles that can be replaced within the existing budget will decrease over time.

8.12 New Vehicles

The time taken for delivery of new vehicles is also increasing especially for more specialised items, with delivery times being up to a year in some instances. This will require longer term procurement planning and may further impact on vehicle prices due to the cost volatility over a longer period from order to delivery.

- 8.13 Due to extended delivery times for new vehicles, there are increasing costs in relation to the hiring of vehicles for extended periods to enable front line services to be maintained. An aging fleet is subject to an increased number of breakdowns requiring short term hires whilst repairs are being undertaken, and long-term hires where repairs are unviable.
- 8.14 The council uses a lot of fuel in the delivery of its services which has of course been impacted by the increase in costs over recent months. It is projected that fuel costs will exceed the initial budget by at least £542k. Usage has remained relatively constant at around 60,000 litres per month but cost per litre has risen from an average of £1.05/litre for the first quarter of 2021 to £1.50/litre for the first quarter of 2022, an increase in excess of 40%. The team will continue to evaluate alternative fuel options such as HVO, and the impact of an increasing EV fleet on these costs going forward.

9. **CONCLUSION**

Members are asked to note the contents of the report and commend the work of all the teams in the Highways and Transport Portfolio.



Member Report – For Information

Decisions Taken Under Urgency Decisions

Report to: Borough Council

Report from: Leader of the Council

Portfolio: Leader of the Council

Report Date: 8 September 2022

Decision Type: For Information

Council Priority: All Priorities

HEADLINE POSITION

1.0 Summary of report

- 1.1 This report provides a summary of decisions that have been taken recently using urgency provisions as set out in the Council's Access to Information Procedure Rules and that require reporting to Council.

DETAILED PROPOSALS

2.0 What are the objectives of the report and how do they link to the Council's priorities

- 2.1 This report aims to inform Members of any urgent decisions taken by the Council since the previous Borough Council meeting held on 14 July 2022.

3.0 Background and detail

- 3.1 The Local Authority (Executive Arrangements) (Meeting and Access to Information) (England) Regulations 2012 and the Council's Constitution set out procedures to be followed in respect of executive decision making, including delegated decisions. Notice of key and/or confidential decisions must be given in a Forward Plan and published on the Council's website at least 28 days before the decision is taken. Where a decision needs to be taken for which the required notice period cannot be given, it can still be made if certain tests are met.
- 3.2 General Exception - If the 28 day forward plan period cannot be complied with for a key decision, then the decision may still be taken if it is impracticable to defer the decision for compliance with these arrangements. If this test is met, then the decision can still proceed but the following actions must also be taken:
- The chair of the relevant Scrutiny and Improvement Committee (or if there is no chair, the whole committee individually) must be informed by notice in writing of the decision to be taken, and this notice must also be published, with reasons for the urgency, at least 5 working days in advance of the decision

being taken.

3.3 Special Urgency – If a key decision is so urgent that it is not possible to comply with the general exception urgency rules, by virtue of the date on which it must be taken, then there are some further special urgency provisions which can be used if the following actions are taken:

- The agreement of the chair of the relevant Scrutiny and Improvement Committee that the decision cannot reasonably be deferred must be obtained (or if there is no chair, or the chair is unable to act, the Mayor, or in their absence the Deputy Mayor);
- A notice setting out this position and detailing the reasons for the urgency must be published.
- The use of the special urgency provisions must be report to the Council by the Leader on a quarterly basis.

3.4 Urgency and Call-in – Where it is the application of the call-in procedure that will give rise to issues, then there is a separate urgency provision which applies if it is considered that any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. If that test is met, then the decision maker may give notice, in publishing the decision, that call-in does not apply and the reasons for the urgency. However, this decision must then be reported to the Full Council at the next available meeting with reasons for using this procedure.

4.0 Appendices and Background Papers

4.1 Appendix 1 – Summary of decisions taken using urgency provisions, including links to the associated decisions records.

5.0 Recommendation

5.1 Council Members are requested to note the following decisions that have been taken using urgency provisions:

- a. Provision of Supported Living Scheme at Ormesby Road
- b. Contract for redevelopment of the Ridings Project
- c. Contract variation for the delivery of the Green Homes Grant

6.0 Contact Officer

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Summary of decisions taken using urgency provisions

Details of the individual decisions can be accessed by clicking on the decision title

Decision	Decision Maker and date of decision	Reason for Urgency	Scrutiny Consultation
<p>General Exception - Call-in disapplied</p> <p>Provision of supported living scheme at Ormesby Road</p> <p>Value: The full contract value for 18 months is £407,151</p>	<p>Cabinet Member for Children – Cllr Alison Barnes</p> <p>29 June 2022</p>	<p>RCVDA housing CIC formal informed the council at short notice that it could no longer continue to provide the services at 58 Ormesby Road. The Housing Regulator issued a legal notice on its website saying that RCVDA Housing CIC could no longer meet its obligations to continue as a registered provider and that the HCIC would issue a moratorium so that nothing can be done with its business. The regulator would then advise on its next steps.</p> <p>The use of urgency provisions was required to prevent moving the 6 young people and closing the scheme leaving vulnerable young people without support due to the short timescale served upon us. We have worked with NEHelp CiC to take over the lease from the building owners and to undertake the running of the scheme allowing the supported living scheme to continue.</p>	<p>Councillor Vera Rider – Chair of Children & Families Scrutiny & Improvement Committee.</p>

Decision	Decision Maker and date of decision	Reason for Urgency	Scrutiny Consultation
<p>General Exception - Call-in disapplied</p> <p>Contract for the development of the Ridings Project</p> <p>Value: The full estimated contract value for 18 months is £267,750</p>	<p>Cabinet Member for Children – Cllr Alison Barnes</p> <p>11 July 2022</p>	<p>The Council had agreed the long-term lease of the property to a Housing provider who with funding from Homes England would develop the project and rent back the office and 6 flats to the Council at affordable rents (£87.50 per week/£27,300pa). The project had progressed to the appointment of a design and build contractor, planning applications have been submitted and work has started.</p> <p>Following the application and successful award of a Home Office grant for Exceptional Cost Funding which will fund the conversion of the Ridings the Council are taking over the project but seeking approval under exceptional circumstances to continue with the original appointed design and build Contractor.</p> <p>The reason for the urgency is to allow the continuation of the Ridings project with the appointed contractors (by the Housing Provider) without any delays. If delays occur it will lead to additional costs due to pending changes to building regulations adding additional requirements to the project should we not proceed with applications, material costs are still on the rise, and work through the appointed contractor (by the Housing Provider) if suspended will increase delays as they take on other pending work.</p>	<p>Councillor Vera Rider – Chair of Children & Families Scrutiny & Improvement Committee.</p>

Decision	Decision Maker and date of decision	Reason for Urgency	Scrutiny Consultation
<p>General Exception - Call-in disapplied</p> <p>Contract variation for the delivery of the Green Homes Grant</p> <p>Value: The Council was awarded an additional £1,165,362 as part of the Green Homes Grant Local Authority Delivery Phase 2 (LAD2) Scheme</p>	<p>Cabinet Member for Neighbourhoods & Housing – Cllr Barry Hunt</p> <p>2 August 2022</p>	<p>The Green Homes Grant Local Authority Delivery Phase 2 (LAD2) Scheme aims to improve the energy efficiency of homes of low-income households, help to reduce fuel poverty, phase out high carbon fossil fuel heating, and deliver progress towards the UK's commitment to net zero by 2050.</p> <p>Phase 2 comprises of £300m allocated through Local Energy Hubs for regional delivery up to December 2021. The North East, Yorkshire and Humber Energy Hub has secured £51.95m in LAD2 funding from the Department of Business Energy and Industrial Strategy (BEIS).</p> <p>Redcar & Cleveland Borough Council applied for £1,014,564 allocation which BEIS have calculated based on Redcar & Cleveland's fuel poverty figures. This allocation includes an allocation for the costs of delivery, marketing, and development costs £129,250. Funding will be claimed via robust monthly monitoring returns to the Energy Hub.</p> <p>Energy Hub (BEIS) who awarded the funding to local authorities advised programme participants that there was an underspend in the budget, and they sought out capacity in the programme to make use of the underspend with an assurance that it could be fully committed. Due to tight timescales for mobilisation and delivery of works under the funded programme, we consulted with our existing scheme partner EON. They were in agreement that due to the good progress with the programme in this borough, and the number of expressions of interest which had been received additional outcomes could be achieved from an increase</p>	<p>Councillor Shelagh Holyoake – Chair of Adult & Communities Scrutiny & Improvement Committee.</p>

Decision	Decision Maker and date of decision	Reason for Urgency	Scrutiny Consultation
		<p>in the grant funding. With the assurance provided to BEIS, additional £ 1,165,362 of funding was secured and the delivery of measures in approximately 100 more eligible homes across the borough was agreed.</p> <p>Approval was sought via a delegated power, for a variation to the existing contract with EON. This was to accommodate the delivery of additional measures in homes across the borough as a result of the further £1,165,362 of funding which the local authority was able to secure from the programme funder. It was requested that to allow for the existing contract with EON to be varied to accommodate the delivery of measures in homes across the borough as a result of a further £1,165,362 of grant funding being secured from BEIS, that the 28 day forward plan period was not followed on this occasion, but rather this urgent matter was subject to a shorter 5 day publish period with call-in disapplied, followed by consideration of the matter via a delegated power by the Cabinet Member for Housing & Health. The programme and all activity comes to an end as of September 2022.</p>	



Member Report

Review of Proportionality and Distribution of Seats

Report to: Borough Council

Report from: Managing Director (Head of Paid Services)

Portfolio: Resources

Report Date: 8 September 2022

Decision Type: Committee

Council Priority: All Priorities

HEADLINE POSITION

1.0 Summary of report

- 1.1 This report seeks confirmation of the revised proposed distribution of seats resulting from a change in political balance and proposed changes to the Scrutiny & Improvement Committee arrangements.

2.0 Recommendation

- 2.2 It is recommended, subject to the revised scrutiny arrangements being approved ahead of this report being considered, that Council confirms the distribution of seats to the different political groups as set out herein so that the appointments of Members to Committees and other bodies can be subsequently made.

DETAILED PROPOSALS

3.0 What are the objectives of the report and how do they link to the Council's priorities

- 3.1 The Local Government and Housing Act 1989 requires the Council to periodically review its political composition and how this is applied to appointments to committees and sub-committees of the Council.
- 3.2 This review is required as a result of:
 - a. A change in the political balance of the Council following notification from Councillor Peter Berry that he no longer wishes to be a Member of the Independent Group and wishes to be treated as an ungrouped Independent instead.
 - b. Subject to approval ahead of this report being considered, a change in the Council's scrutiny arrangements introducing a further Scrutiny & Improvement Committee and 13 additional seats which form part of the overall proportionality calculations.

- 3.3 The rules for securing political balance on committees and sub-committees appointed by local authorities are contained in sections 15 and 16 of the Act and the Local Government (Committees and Political Groups) Regulations 1990.
- 3.4 The Council is under a duty to:
- (a) Ensure that the membership of those committees and sub-committees covered by the rules reflect the political composition of the Council, as far as practicable;
 - (b) Review the allocation of seats to political groups at or as soon as practical after the Annual Council meeting and at certain other specified times for example, as a result of changes in political balance or an increase in the number of committees established;
 - (c) Allocate seats on the committees to the political groups in proportion to their numerical strength on the Council, as far as practicable;
 - (d) Accept nominations made by the groups for the filling of seats allocated to them.
- 3.5 In determining the allocation of seats, the Council must also apply the following four principles, as far as reasonably practicable:
- (a) Not all seats to be allocated to the same political group;
 - (b) If a political group has a majority on the Council, it must have a majority of seats on committees;
 - (c) Subject to (a) and (b) above, the total of all seats on ordinary committees be allocated to the groups in proportion to their respective strengths on the Council and
 - (d) Subject to (a) to (c) above the number of seats on ordinary committees or sub-committees to be allocated to each political group in proportion to the number of all the seats on the committee or sub-committee in proportion to their respective strengths on the Council.
- 3.6 Since the application of these rules individually can produce slightly different results, the figures have to be reconciled by applying the rules in descending order of importance.
- 3.7 Any seats left unallocated after the application of these rules go by default to any members who are not members of any political group.
- 3.8 The legislation provides that the Council may make alternative arrangements to the proportionality principles but only by a vote in a meeting of the Borough Council and only where there are no votes cast against such a proposal. However, a political group may decide to offer a seat to another political group. This does not affect the proportionality principles as it remains within the gift of the political group to determine how it wishes to exercise that discretion, if at all.

3.9 As a result of the changes outlined in paragraph 3.2, the overall political composition of the Council, and associated % share of seats remains as follows:

Group	Seats	% of Seats
Cleveland Independents	2	3.39%
Conservatives	5	8.47%
Independent Group	13	22.03%
Labour	15	25.42%
Liberal Democrats	14	23.73%
Ungrouped Independents	10	16.95%
Total	59	100.00%

3.10 Not every seat available is required to be filled in accordance with political balance rules. Certain Committees and Boards are exempt as they are established under separate legislation whereas some positions may be reserved for particular members by virtue of the position or responsibility. It has generally remained the case, however, that insofar as is reasonably possible, the principles of political balance are still applied in determining the distribution of seats.

3.11 The following tables set out the proposed distribution of seats following the application of the political balance rules. There is inevitably a small degree of variation in some cases due to rounding, whilst still achieving the closest possible allocations to groups in proportion to their respective strengths on the Council.

3.12 Where appointments are being made to outside organisations who are also subject to proportionality requirements, then it is for those organisations to allocate and seek appointments accordingly, taking into account the overall political make-up of all the relevant authorities who are asked to identify members. Therefore, there may, in some cases, be some disparity between our own proportionality and that of these external bodies.

3.13 In relation to Committees to which political balance rules apply, with the introduction of a further Scrutiny & Improvement Committee, there are a total of 140 places to be allocated in the following proportions.

Group	Committee places
Cleveland Independents	5
Conservatives	12
Independent Group	31
Labour	36
Liberal Democrats	34
Ungrouped Independents	22
Total	140

3.14 The proposed distribution of seats for Committees where political balance rules apply is as follows:

Committee	Places	Cleveland Inds	Con	Ind Group	Labour	Lib Dem	ungrouped Inds	Vacancies
Governance	11	0	1	2	3	3	2	0
Employment Health and Safety	13	0	2	3	3	3	2	0
Regulatory	13	1	1	3	3	3	2	0
Resources & Governance Scrutiny & Improvement	15	1	1	3	4	4	2	0
Children and Families Scrutiny & Improvement	13	0	2	3	3	3	2	0
Adults, Health and Wellbeing Scrutiny & Improvement	13	1	1	3	3	3	2	0
Growth Scrutiny & Improvement	13	1	2	2	3	3	2	0
Climate and Environment Scrutiny & Improvement	13	1	1	3	3	3	2	0
Cleveland Fire Authority	4	0	0	1	1	1	1	0
Police and Crime Panel (*Allocation determined on force wide basis)	3	0	0	1	1	1	0	0
TVCA Overview and Scrutiny (*Allocation advised by TVCA)	3	0	0	1	1	1	0	0
TVCA Audit and Governance (*Allocation advised by TVCA)	1	0	0	0	0	0	1	0
Tees Valley Joint Health Scrutiny	3	0	0	1	1	0	1	0
South Tees Joint Health Scrutiny	5	0	0	1	2	1	1	0
Durham, Darlington and Teesside, Hambleton, Richmondshire and Whitby Joint Health Scrutiny Cttee	3	0	0	0	1	1	1	0
Shared Appointments Panel with Middlesbrough	4	0	1	1	1	1	0	0
Appointments Panel	7	0	0	2	2	2	1	0
Shareholder Board (*to include Cabinet Member for Resources, Chair of Resources Scrutiny and Chair of Governance if possible)	3	0	0	1	1	1	0	0
Totals	140	5	12	31	36	34	22	0

3.15 In relation to Committees to which political balance rules do not strictly apply, there are a total of 28 places to be allocated.

3.16 The distribution of seats for these Committees remains as follows:

Committee	Places	Cleveland Inds	Con	Ind Group	Labour	Lib Dem	ungrouped Inds	Vacancies
North York Moors National Park Authority	2	0	0	1	0	1	0	0
River Tees Port Health Authority	5	1	0	1	1	1	1	0
Freedom of the Borough	9	0	1	2	3	2	1	0

Advisory Committee								
Corporate Parenting Board	12	0	1	3	3	3	2	0
Totals	28	1	2	7	7	7	4	0

3.17 In summary, the resulting changes to be made to Committees are that:

- One seat will move from Cleveland Independent Group to the ungrouped Independents on Children and Families Scrutiny & Improvement Committee
- One seat will move from the Conservative Group to the Lib Dem Group on Resources and Governance Scrutiny & Improvement Committee
- One seat will move from the Lib Dem Group to the Cleveland Independent Group on Growth Scrutiny & Improvement Committee
- One seat will move from the Independent Group to the Conservative Group on Growth Scrutiny & Improvement Committee.
- One seat will move from the Independent Group to the Conservative Group on Employment Health and Safety Committee
- One seat will move from the Independent Group to the Labour Group on South Tees Joint Health Scrutiny Committee.
- The political composition of the new Climate and Environment Scrutiny & Improvement Committee will be: 1 Cleveland Independent, 1 Conservative, 3 Independent Group, 3 Labour, 3 Lib Dem, 2 ungrouped Independents.

3.18 Following endorsement of the revised political balance and distribution of seats, changes to Committee membership will be confirmed at the relevant item on the agenda.

3.19 In the event that the proposed revised scrutiny arrangements are not approved, the current distribution of seats will remain in place. It will then be necessary to undertake a further review of proportionality that reflects only the changed political composition for approval at and implementation following the next Borough Council meeting.

4.0 What options have been considered

4.1 The rules for securing political balance on committees and sub-committees appointed by local authorities are contained in sections 15 and 16 of the Act and the Local Government (Committees and Political Groups) Regulations 1990. The requirements and considerations are set out in section 3 of the report.

4.2 The legislation provides that the Council may make alternative arrangements to the proportionality principles but only by a vote in a meeting of the Borough Council and only where there are no votes cast against such a proposal. However, a political group may decide to offer a seat to another political group. This does not affect the proportionality principles as it remains within the gift of the political group to determine how it wishes to exercise that discretion, if at all.

5.0 Impact Assessment

5.1 **Climate Emergency** - There is no direct impact on the climate emergency associated with the recommendations within this report.

- 5.2 Health and Safety** - There are no direct health and safety implications associated with the recommendations within this report.
- 5.3 Social Value** - There is no direct impact on social value associated with the recommendations within this report.
- 5.4 Legal** - The Local Government and Housing Act 1989 requires the Council to periodically review its political composition of the Council, and how this is applied to appointments to committees and sub-committees of the Council.
- 5.5 Financial** – The creation of an additional committee will result in the payment of two additional special responsibility allowances (ie chair and vice chair). The cost of these will be £2981 and £1037 respectively.
- 5.6 Human Resources** - There are no direct human resources implications associated with the recommendations within this report.
- 5.7 Equality and Diversity** – The recommendations within this report will not adversely affect any protected group. Members are elected by local residents to represent their views. The application of political balance rules supports the representation of population as a whole.
- 6.0 Implementation Plan**
- 6.1 Timetable for Implementing Decision** - Following confirmation of the revised distribution of seats, committee memberships will be updated.
- 6.2 Lead Officer** - Governance Director
- 6.3 Reporting Progress** - N/A
- 6.4 Communications Plan** - Details of committee memberships are published on the Council’s website. Where changes relate to joint Committees or Outside Bodies, Democratic Services will inform the relevant parties of the changes to membership.
- 7.0 Consultation and Engagement**
- 7.1 The Council is required to determine the constitution and political balance of the Committees and Boards that have been set up for discharging its functions. The allocations have been determined through the careful application of the political balance principles as set out in paragraph 3.4 and 3.5 of the report by the Monitoring Officer in consultation with the Managing Director.
- 8.0 Appendices and Background Papers**
- 8.1 There are no appendices and no background papers other than published works were used in writing this report.

9.0 Contact Officer

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