

## THE EXECUTIVE

A meeting of the Executive was held on 27 October 2020 at in .

**PRESENT:** Councillors Mayor A Preston (Chair) and Councillors D Davison, A High, C Hobson, D McCabe, M L Smiles and A Waters

**INVITEES:** Councillor M Storey

**OFFICIALS:** C Benjamin, S Bonner, P Clarke, G Field, C Lunn, G Moore, S Reynolds and E Scollay

**APOLOGIES FOR ABSENCE:** Councillor J Thompson

### DECLARATIONS OF INTERESTS

Name of Member	Type of Interest	Item/Nature of Interest
Councillor M Smiles	Non-Pecuniary	Item 6/scheme submitted for Members Small Scheme Allocation

#### 20/54 **MINUTES - EXECUTIVE - 29 SEPTEMBER 2020**

The minutes of the Executive meeting, held on 29 September 2020, were submitted and approved as a correct record

#### 20/55 **COUNCIL - FUTURE OFFICE ACCOMMODATION UPDATE**

The Mayor and the Chief Executive submitted a report for the Executive's consideration. The purpose of the report was to seek approval to explore alternative options in respect of future accommodation for Council staff.

On 20 December 2019 the Executive approved Theakston as the preferred developer and lessor to provide suitable arrangements for the future accommodation of Council staff and services in Centre North East.

Since that decision, the Council had seen a significant change in working practices due to Covid-19, with the majority of staff currently working from home. The Council was also in the process of implementing locality working, whereby relevant Council staff would be based in the communities they served.

Covid-19 had impacted on the facilities and lay-out required for office accommodation to ensure that the risk of transferring Covid-19 was minimised and social distancing could be maintained. Some of the lay-outs within Centre North East would not have met the Council's needs without significant investment and reconfiguration.

The impact of Covid-19 had made the proposed move to Centre North East more expensive than previously anticipated, due to the changes in the amount of space the Council would require, and an increased reliance upon the commercial potential of the additional, unused space within Centre North East.

It was therefore proposed that additional work be undertaken to re-evaluate the options available to the Council in central Middlesbrough, and provide the information required to inform a final decision on future location.

The report highlighted that the work required would cost approximately £150,000 but would provide greater assurance to the Council prior to committing to significant long-term expenditure on new accommodation.

### **OPTIONS**

**The Council could have continued to proceed with leasing and occupying Centre North East. However, Centre North East was unlikely to meet the Council's evolving needs and would have resulted in higher costs and greater risks than necessary.**

#### **ORDERED**

**That the preferred option of Centre North East, for the future accommodation of Council staff, be reconsidered and that alternative options for accommodation be explored.**

#### **REASONS**

**Covid-19 had impacted significantly on working practices and the effects of social distancing, home working and locality working meant that the Council needed to re-evaluate the amount of future office accommodation it required.**

**The investment the Council would be making in selecting new accommodation was significant, and that would represent appropriate due diligence in the current (and anticipated future) climate.**

**The subject of the report had not been examined by the Overview and Scrutiny Board or by a Scrutiny Panel.**

20/56

#### **COVID-19 GOVERNANCE AND DECISION-MAKING UPDATE**

The Mayor and the Chief Executive submitted a report for the Executive's consideration. The purpose of the report was to provide an overview of the governance framework that decisions were made within, details of those decisions and the process the Council had followed to reflect on lessons learned to date in order to strengthen future responses.

COVID-19 was an unprecedented global event that would have long-term impacts on life within Middlesbrough and significant implications for the Council's objectives, the way it did business and its finances both in the current and future years.

The Council's Scheme of Delegation gave the Executive collective responsibility for corporate strategic performance and financial management / monitoring, together with associated action. The submitted report provided transparency around how delegations were exercised during the pandemic in order to provide assurance around the robustness of governance processes.

The submitted report stated that the Mayor of Middlesbrough had delegated authority to the Council's Chief Executive to make Executive decisions of a policy, financial and operational nature in response to the COVID-19 emergency.

The Executive Scheme of Delegation had been amended to reflect that and was approved by Council in September 2020. It stated that "*The Chief Executive of the Council, or any officer nominated by the Chief Executive as his Deputy in this regard, will have delegated authority to make Executive decisions of a policy, financial and operational nature in response to the COVID-19 emergency.*"

During the course of the pandemic, decisions on the exercising of those powers had been communicated to Members and staff extensively.

As the pandemic progressed, the Council had worked to minimise the need to use those emergency powers, taking decisions following business as usual processes where timescales allowed. That was reflected in the timeline of decisions taken between June and the end of September, which was set out in the submitted report.

#### **OPTIONS**

**Not applicable - the Council had a legal duty to respond to an emergency incident.**

**ORDERED**

1. That the governance arrangements that were and remain in place to support timely decision-making during the COVID-19 pandemic, and decisions taken between June and September 2020, be noted.
2. That the robust lessons learned process undertaken on the Council's overall response as part of its commitment to continuous improvement, and the changes implemented and planned as a result, be noted.
3. That the planned adjustments to decision-making processes, to reflect those lessons learned, be approved.
4. That a quarterly update report on COVID-19 decision-making, from February 2021, be presented alongside existing updates on the Strategic Plan and the Council's financial position and also be presented to the Overview and Scrutiny Board.

**REASON**

The planned actions allowed the Council to continue to meet its legal obligations under the Civil Contingencies Act 2004 and enabled the effective management of finances, performance and risk in line with the Council's Local Code of Corporate Governance.

20/57

**MEMBERS SMALL SCHEME ALLOCATION 2020/21**

The Executive Member for Finance and Governance and the Director of Environment and Community Services submitted a report for the Executive's consideration. The purpose of the report was to provide information on the schemes put forward in respect of the Members Small Scheme Allocation.

Members had previously approved funding within the capital programme for the Members Small Scheme Allocation with an allocation of £106,000, in respect of 20/21, which was inclusive of uncommitted funds from previous years. There was currently an allocation of £60,000 for both 2021/22 and 22/23.

Members had been invited to submit bids and a total of 9 compliant bids were received within the bidding timeframe, totalling £112,500.

The schemes received were as follows:

- Cllr Furness, Pedestrian Crossing, The Avenue, Linthorpe, £15,000
- Cllrs Branson / Walker, Pedestrian Crossing, Newham Way, Coulby Newham, £10,000
- Cllr Wilson, Fencing / Gates, Thorntree Park, Thorntree, £15,000
- Cllr Lewis, CCTV, Saltwells Playground, Saltwells Rd, £5,000
- Cllrs Polano / Dean, Traffic Calming, Tollesby Rd, Acklam, £15,000
- Cllr Platt, Off Street Parking, The Oval, Brookfield, £15,000
- Cllr Hobson, Traffic Calming, Turnberry Way, Marton, £15,000
- Cllr Smiles, Pedestrian Crossing, Clevegate, Nunthorpe, £15,000
- Cllr McCabe, CCTV / Lighting, Stonedale Walk /Geldale, Trimdon, £7,500

Based on the outcome of the scoring panel, and subject to additional match funding from services, the following schemes could be funded from the current 20/21 allocation of £106,000:

- Cllrs Branson / Walker, Pedestrian Crossing, Newham Way, Coulby Newham, Score 58, £10,000 with £15,000 from service
- Cllr McCabe, CCTV / Lighting, Stonedale Walk /Geldale, Trimdon, Score 57, £7,500
- Cllr Lewis, CCTV, Saltwells Playground, Saltwells Rd, Score 57, £5,000
- Cllr Furness, Pedestrian Crossing, The Avenue, Linthorpe, Score 56 £15,000 with £15,000 from service.

- Cllr Wilson, Fencing / Gates, Thorntree Park, Thorntree, Score 41, £15,000.

Those schemes would use £52,500 of the £106,000 available from the current scheme, leaving a balance of £53,500.

However, match funding was not currently available from the services for the remaining schemes.

It was therefore proposed that Members defer the remaining schemes pending the outcome of public consultation and more detailed technical assessment regarding their individual viability and available match funding. Those schemes could then be approved and funded from the 2020/21 balance (£53,500) with the remaining £6,500 coming from the 21/22 allocation (£60,000) in the event that they were deliverable and public consultation had been favourable.

## **OPTIONS**

**Members could have deferred all of the schemes until 21/22 when a further £60,000 would be available, however, schemes would be dependent on available match funding from Highways at that time.**

## **ORDERED**

**1. That the following schemes be approved:**

- Cllrs Branson / Walker, Pedestrian Crossing, Newham Way, Coulby Newham, £10,000 with £15,000 from service
- Cllr McCabe, CCTV / Lighting, Stonedale Walk /Geldale, Trimdon, £7,500
- Cllr Lewis, CCTV, Saltwells Playground, Saltwells Rd, £5,000
- Cllr Furness, Pedestrian Crossing, The Avenue, Linthorpe, £15,000 with £15,000 from service.
- Cllr Wilson, Fencing / Gates, Thorntree Park, Thorntree, £15,000.

**2. That the following schemes be endorsed, pending consultation outcomes and subject to the availability of match funding:**

- Cllr Platt, Off Street Parking, The Oval, Brookfield, £15,000
- Cllr Smiles, Pedestrian Crossing, Clevegate, Nunthorpe, £15,000
- Cllr Hobson, Traffic Calming, Turnberry Way, Marton, £15,000
- Cllrs Polano / Dean, Traffic Calming, Tollesby Rd, Acklam, £15,000

## **REASONS**

The schemes recommended for funding in 20/21 had received the highest scores when evaluated by an officer panel. The schemes were evaluated against the following criteria:-

- Council's Strategic Objectives;
- Output Benefits and Social Value.
- Savings Payback Achieved and Value for Money.
- Project Risks.

All schemes which required match funding from Highways would be subject to the available finances in 20/21 and 21/22.

20/58

## **ADOPTION OF DEVELOPMENT BRIEFS FOR SITES AT HEMLINGTON NORTH AND HEMLINGTON GRANGE SOUTH**

The Executive Member for Regeneration and the Director of Regeneration and Culture submitted a report for the Executive's consideration. The purpose of the report was to present the development briefs for sites at Hemlington North and Hemlington Grange South.

In March 2020, the Executive had approved draft development briefs for the development of land at Hemlington North and Hemlington Grange South. Both sites formed part of the wider Hemlington Grange mixed-use development site that was allocated in the Housing Local Plan (2014). The briefs provided a significant opportunity to support place making in the south of the borough, with both of them supporting sustainable development and high levels of environmental enhancement.

A consultation had been undertaken, details of which were contained at paragraph 4 of the submitted report.

Overall 60 comments had been received, 30 relating to the Hemlington North site and 30 relating to Hemlington Grange South. Two reports of consultation had been prepared (one for each development brief, see Appendices 1 and 2 of the submitted report), setting out details of those comments and the Council's response to them.

In summary, in respect of Hemlington North, a significant number of the respondents were concerned about the provision of affordable housing on the site, and the impact that might have on crime and house prices. Respondents stated that the site should stay green and that there should be no apartments on the site. Respondents were also concerned about the potential increase in traffic from the proposed development and the Hemlington Grange South proposal.

In summary, in respect of Hemlington Grange South, respondents were concerned about the traffic implications of additional houses and, in particular, a number of those that responded suggested that there should be a separate access to the site rather the proposed development being access through Elderwood Park.

The development briefs had been finalised, taking into account all of the comments received, with some minor amendments being made in view of material planning considerations. The amended briefs were attached at Appendix 3 (Hemlington North) and Appendix 4 (Hemlington Grange South) of the submitted report.

Following their adoption, the development briefs would be used to help to market the sites, and in the selection of the preferred bidder. The briefs would also be used in the consideration of any future planning applications.

## **OPTIONS**

**Not to approve the development briefs for sites at Hemlington North and Hemlington Grange South - that would have meant that there would be an absence of planning guidance on the key layout principles, type of housing and quality of development that the Council would be seeking on those sites. There would be less certainty and potentially higher risks for future developers.**

## **ORDERED**

**That the development briefs, for sites at Hemlington North and Hemlington Grange South, be adopted.**

## **REASON**

**The development briefs planned to help to clarify the Council's expectations for the development of the Hemlington North and Hemlington Grange South sites for residential development, which would help deliver a high quality development whilst, at the same time, reducing risk and uncertainty for future developers.**

The decision(s) will come into force after five working days following the day the decision(s) was published unless the decision becomes subject to the call in procedures.