

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 16 April 2009.

PRESENT: Councillor Brunton (Chair), Councillors Cox, Dryden, Ismail, Khan, McIntyre (as substitute for Councillor Cole), McPartland (as substitute for Councillor J A Walker), Mrs H Pearson (as substitute for Councillor C Hobson), Purvis, G Rogers (as substitute for Councillor J Hobson) and Sanderson.

OFFICIALS: J Bennington, S Cartlidge and P Clark.

**** PRESENT BY INVITATION:** Councillor Budd, Executive Member for Regeneration and Economic Development
Councillor Elder (originator of the request to Call-In the decision).

**** PRESENT AS AN OBSERVER:** Councillors Hubbard and McTigue.

**** APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Cole, C Hobson, J Hobson, J A Walker and Williams.

**** DECLARATIONS OF INTEREST**

No declarations of interest were made at this point of the meeting.

TOWN HALL COMPLEX – REFURBISHMENT

A report of the Senior Scrutiny Officer had previously been circulated regarding the meeting, which had been arranged in accordance with the Council's Call-In procedure. The Call-In related to the decision made at an Individual Meeting of the Executive Member for Regeneration and Economic Development held on 26 March 2009 in respect of a report relating to the refurbishment of the Middlesbrough Town Hall complex.

The main components of the report of the Senior Scrutiny Officer included the following: -

- a) a copy of the report entitled Refurbishment of Middlesbrough Town Hall Complex considered at the Individual Meeting of the Executive Member for Regeneration and Economic Development held on 26 March 2009 which included the following:-
 - i) the report sought approval for a development and funding strategy relating to the Town Hall and in recognition that the Town Hall was a listed building and of national importance the strategy focussed on the opportunity to refurbish and contribute to the creation of a high quality cultural quarter;
 - ii) the report outlined the physical parameters of the Town Hall complex targeted for refurbishment and emphasised the quality of its architecture;
 - iii) the report indicated that the Town Hall had been the focus of previous reports on its condition and potential refurbishment with specific attention being given to the Panther Hudspith report of 2003 which was significant to the concept of refurbishment;
 - iv) previous reports had highlighted the substantial resources required to action a scheme and the need for a co-ordinated strategy;
 - v) the report proposed that with the sponsorship and other funding required and in accordance with procurement rules Panther Hudspith be asked to update the work on a revised strategy which addressed such opportunities;

- vi) in relation to financial terms the report stated that £37,500 would be sought from One NorthEast and matched by £12,500 from the Local Authority to fund the refreshing of the previous work and create a costed and phased outline plan of investment;
 - vii) the report indicated that such a proposed facility would provide the opportunity for a diverse range of civic, commercial and public functions and that whilst the current economic circumstances were difficult, planning the renaissance of the Town Hall should be undertaken;
- b) the report outlined the decisions taken at the Individual Meeting of the Executive Member for Regeneration and Economic Development (26 March 2009) to approve the following:-
- i) the development strategy and the recommended approach to its preparation be supported;
 - ii) the use of Single Programme resources aligned with a contribution from the Regeneration budget to commission further work to develop an outline phased and costed proposal at a cost of approximately £50,000 be supported;
 - iii) report back at regular levels on progress;
- c) details of the Call-In procedure;
- d) the reasons given to the Authority's Proper Officer, which had initiated the Call-In procedure as follows:-
- '1. The Town Hall is a Grade II listed building and should be preserved in its entirety without unnecessary redevelopment'.
 2. As such development is unwarranted there is no need to waste £50,000.00 of Middlesbrough's income and Council tax on an expensive survey involving external consultants at a time of major financial world recession.'

The Chair welcomed all to the meeting and following introductions explained the procedure to be followed at the meeting.

The Head of Economic and Community Regeneration outlined the rationale of the proposed development and funding strategy, which included the following key issues: -

- a) recognition by the local population that Middlesbrough Town Hall was a significant community building and a fine example of Victorian gothic civic architecture;
- b) the building was a grade II star listed building and as little had been altered over the years it was now considered to be of national importance;
- c) the building was regarded as a significant asset as the Town's civic accommodation and key performance space;
- d) in view of a lack of investment over the years there were many sections of unused, under used or inappropriately used space and areas which continued to deteriorate to the detriment of the current and potential uses of the building;
- e) it was recognised by many national organisations that the best way to preserve the building would be to carry out essential repairs and secure further use of the currently unused spaces within the building;
- f) in terms of the economic rationale, the proposed investment to extend current facilities of the Town Hall would assist with revenue costs and form part of an important element of the physical, economic and cultural regeneration of the Town Centre;

- g) in order to comply with health and safety requirements reference was made to significant expenditure over five to six years most notably the Town Hall clock tower and improvements to the Concert Hall facilities which had proved useful in expanding the use of the building;
- h) in order to ensure that the building was fit for purpose it was considered timely to re-examine if the facilities were appropriate to maximise the intended use for community and civic activities;
- i) it was considered that doing nothing was not an option and that in order to help secure funding it was considered essential to have a funding and development strategy in place to be in a position to respond quickly to any opportunity that may arise after the 2012 Olympics;
- j) although the Concert Hall had been the subject of some restoration work it was considered to be limited in comparison with what was expected from a modern cultural facility and what could be offered by competitive buildings such as The Sage Gateshead;
- k) examples were given of older buildings such as the Darlington Civic Theatre and the Theatre Royal, Newcastle which had been restored and modernised with supporting facilities without compromising the heritage of such buildings;
- l) as a grade II star listed building the building required very specialised work and studies with conservation organisations.

Councillor Budd, Executive Member for Regeneration and Economic Development reiterated the importance of the proposals to refresh the original work by Panther Hudspith and develop a way forward for a revised phased development strategy.

Councillor Elder was afforded the opportunity of asking questions of the Executive Member for Regeneration and Economic Development and Head of Economic and Community Regeneration during which the following points had been raised:-

- i) given the original costs of £13,000 for work previously undertaken and now an additional total sum of £50,000, the utilisation of such expenditure on the Town Hall was questioned;
- ii) in response the Head of Economic and Community Regeneration confirmed that the resources were to be used to refresh the original Panther Hudspith work and create a costed and phased outline plan of investment which would provide a sound basis for carrying out essential repairs and develop a maintenance strategy and to provide information to assist in maximising the current and potential future use of the Town Hall complex;
- iii) clarification was sought on the extent of the contribution by Panther Hudspith and if their costs were included in the stated total costs of £50,000;
- iv) the Head of Economic and Community Regeneration confirmed that Panther Hudspith had extensive expertise in the subject matter but should a lead partner be required to carry out some element this would be undertaken, all the costs of which would be in the stated total cost of £50,000;
- v) Councillor Elder questioned the logistics of the plan given the current economic climate and specifically drew the Board's attention to paragraph 10 of the report of the Director of Regeneration which indicated that to undertake all of the phased work would require considerable resources, ambition and time;
- vi) in response the Head of Economic and Community Regeneration confirmed that the overall project required not just Council resources (£12,500) but also funding from well established funding regimes supported by the Government;

- vii) it was reiterated that although there were scarce resources available for cultural schemes until after the 2012 Olympics it was important for the Council to have a business case for a development and funding strategy to be in a position to respond as soon as possible to any opportunity that may arise .

Councillor Elder outlined the reasons for invoking the Call-In procedure emphasising the following key issues: -

- a) reference was made to the current financial constraints and to specific comments by the Mayor at a recent meeting of Middlesbrough Council of the need to manage resources economically;
- b) in order to be fit for purpose in terms of Council business, civic and the Concert Hall activities the need to undertake essential repairs and maintenance to preserve the historic building of the Town Hall was acknowledged but questioned the suggestions for future use as indicated in respect of Phase 4 such as additional commercial activities to bring back into use spaces which were currently vacant or underused;
- c) specific attention was given to a number of suggestions previously identified such as a public gallery in the main Council Chamber, glassed atrium covering the courtyard and re-location of the Register Office;
- d) concerns were expressed regarding the potential loss of the quadrangle car park; the relocation of the Register Officer which was already considered to be a fit for purpose building; and potential competition with other similar commercial premises;
- e) the need for refurbishment to the Concert Hall was reiterated but the possible reconfiguration and suggested improvement scheme was questioned indicating that the building was not a theatre and that perhaps resources should be diverted to the upgrading of Middlesbrough Theatre;
- f) reference was made to current low levels of attendance by members of the public at Council meetings and lack of involvement of the Youth Council and young people;
- g) in terms of the financial situation and possible future changes to Government it was suggested that local authorities could not be bound by decisions such as the decisions made in this instance;
- h) given that £13,000 had already been utilised for previous work and a further £50,000 was proposed it was considered that better use could be made of such resources for example on front line services in a time of economic difficulties.

The Executive Member for Regeneration and Economic Development and the Head of Economic and Community Regeneration were afforded the opportunity of asking questions of Councillor Elder. The main points arising from such discussion and issues of clarification were as follows: -

- a) Councillor Elder confirmed that the loss of the quadrangle car park at the Town Hall was not one of the main concerns but an associated problem of the possible future plans for that area;
- b) in seeking clarification regarding a comment about the use of £37,500 One North East Single Programme funding for frontline services it was noted that such funding could not be utilised in this manner;
- c) Councillor Elder indicated that the number of unused spaces in the Town Hall was not as extensive as suggested.

Members of the Overview and Scrutiny Board posed questions of all parties the responses from which focussed on the following: -

- apart from the need to preserve the Town Hall as a valuable asset to the Town the Concert Hall was of regional significance as a centre of cultural regeneration to be able to compete with other similar entertainment venues;
- the development strategy for the Town Hall complex was seen as a positive step towards maximising the potential use of the building and attracting people into the Town Centre and assisting the night time economy;
- the proposed refurbishment of the Concert Hall which would extend the range of activities was seen as a way of attracting a wider audience and assisting in generating increased income;
- confirmation was given that the possible extended uses of the Town Hall complex as identified in the latter phases of the proposed strategy were dependent upon the results of further research especially with regard to the technical aspects but with the objective that any development would have to be in keeping with the nature of the building;
- the proposals were considered important in bringing back into use a number of vacant spaces which would enhance the potential use of the building thus attracting different performers and a wider audience for not just the current activities at the Concert Hall and public meetings;
- in terms of attracting young people to the Town Hall reference was made to a number of activities including visits and treasures hunts which were organised on a regular basis;
- Members pointed out that as a listed building there was acknowledgement that any structural changes to the Town Hall complex would require the approval of English Heritage;
- concerns were expressed regarding the likely extensive resources required in relation to phase 3 ;
- in response to a question regarding the extent to which market research had been carried out an indication was given of the research which had been undertaken with regard to current usage and in terms of other similar buildings;
- the importance of the Council being able to provide a viable business case for capital investment to be able to respond quickly to any opportunity that may arise was reiterated;
- some Members referred to the financial aspects and expressed concern that the plans had already cost £13,000 and that further work would involve an additional £50,000 and more if not available until after 2012 and therefore suggested that a further report should be submitted after completion of Phase 1 relating to essential repair work and that the availability of local expertise such as at the University of Teesside should be explored;
- approval had been given for resources of £37,500 to be sought from One NorthEast by means of its Single Programme and for £12,500 of the Authority's Regeneration Initiatives budget and should such funding be not forthcoming it would be necessary to seek alternative sources of funding.

Following closing submissions of the Executive Member for Regeneration and Economic Development, Head of Economic and Community Regeneration and Councillor Elder the Board considered the evidence received and voted upon its decision.

ORDERED that the decision taken at the Individual Meeting of the Executive Member for Regeneration and Economic Development held on 26 March 2009 be not referred back on the evidence presented.