

EXECUTIVE

A meeting of the Executive was held on Tuesday 8 March 2022.

PRESENT: Mayor A Preston (Chair) and Councillors TA Grainge, S Hill, L Mason, E Polano and M Smiles

PRESENT BY INVITATION: Councillor J Platt

OFFICERS: C Benjamin, S Butcher, G Field, R Horniman, D Johnson, A Pain, T Parkinson, S Reynolds, E Scollay and I Wright

APOLOGIES FOR ABSENCE: Councillors B Cooper, D Coupe and M Saunders

21/107 **DECLARATIONS OF INTEREST**

Name of Member	Type of Interest	Item/Nature of Interest
Mayor A Preston	Non-Pecuniary	Agenda Item 4 - Towns Fund - Ward Initiatives, Member of the Town Deal Board
Councillor T Grainge	Non-Pecuniary	Agenda Item 4 - Towns Fund - Ward Initiatives, had submitted a bid for consideration in respect of Ladgate Ward
Councillor L Mason	Non-Pecuniary	Agenda Item 4 - Towns Fund - Ward Initiatives, had submitted a bid for consideration in respect of Coulby Newham Ward
Councillor M Smiles	Non-Pecuniary	Agenda Item 4 - Towns Fund - Ward Initiatives, Member of the Town Deal Board and had submitted a bid for consideration in respect of Nunthorpe Ward.

21/108 **MINUTES - EXECUTIVE - 14 FEBRUARY 2022**

The minutes of the Executive meeting held on 14 February 2022 were submitted and approved as a correct record.

SUSPENSION OF COUNCIL PROCEDURE RULE NO 5 - ORDER OF BUSINESS

ORDERED that, in accordance with Council Procedure Rule No 5, the committee agreed to vary the order of business

ORDERED that the following reports be considered as shown:

21/109 **CHILDREN'S SERVICES IMPROVEMENT PROGRAMME: UPDATE REPORT**

The Deputy Mayor and Executive Member for Children's Services and the Executive Director of Children's Services submitted a report for the Executive's consideration. The purpose of the report was to provide information on the progress made against the Children's Services Improvement Plan, with particular reference to the findings of Middlesbrough's Ofsted Monitoring Visit in December 2021.

Ofsted had carried out a Monitoring Visit to Children's Services on 14 and 15 December 2021. The letter summarises the findings of the monitoring visit (published on 31 January 2022) was

attached to the submitted report (see Background Paper 3). The visit had focused on work with:

- Children in Need
- Children in Need of Protection
- The Public Law outline process - a formal process of work carried out to prevent work with children being escalated into court.

The findings and evaluation of progress were outlined in the submitted report, the Council's strengths were detailed at paragraphs 6 to 15 and areas for development were included at paragraphs 16 to 23.

In terms of next steps, the improvement plan would be revised to reflect the areas for development highlighted by the Monitoring Visit and there would be a determined focus on moving the quality of practice.

At least two more monitoring visits were planned to take place, the first of which would be in March 2022, followed by one in June 2022. The March visit would focus on court work, permanence (which was a significant factor in the Council receiving its inadequate grading in January 2020) and looked after children.

In the autumn, Ofsted planned to consult with the Council in respect of its readiness for a full inspection to determine whether there should be another monitoring visit, with a full inspection likely to be at the end of 2022 or early 2023. Although moving out of intervention as soon as possible seemed positive, the view of the leadership team was that by waiting an additional few months the Council could gain a higher Ofsted grading which would stand the authority in good stead going forward.

The Multi-Agency Improvement Board met on a six weekly basis and would continue to do so, at least up until the full inspection. A board development session, focusing on systems leadership across all agencies working with children, was planned for April/May 2022.

OPTIONS

The other potential decisions that had not been recommended included:

The Executive could have chosen not to formally note the report but that would have meant that the improvements to services for Middlesbrough's most vulnerable children were not formally recognised.

ORDERED

- 1. That the progress made to improve outcomes for Middlesbrough's vulnerable children, as set out in our Children's Services Improvement Plan 2020/2023, be noted.**
- 2. That the effect of the work on showing 'Middlesbrough Children that they Matter' be noted.**

REASON

To ensure that Members were fully briefed.

21/110

2022/23 TRANSPORT AND INFRASTRUCTURE CAPITAL PROGRAMME

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 seek approval to allocate funding to develop and deliver transport and infrastructure improvements.

Middlesbrough Council received Local Transport Plan (LTP) funding from the Department for Transport (DfT) via Tees Valley Combined Authority (TVCA) to undertake maintenance and improvement works on the Council's transport network.

The projects within the proposed programme had been identified from the Council's 'Future Year Scheme' list - a compiled table of all known requirements and suggestions received,

which were ranked for their suitability against a set criteria. That then formed the priority basis and was dependent upon external funding criteria, statutory obligations and other implications.

The maintenance schemes were based on asset condition rating systems and allocation of resources work to address 'worst first' was used. That was rationalised on the basis of public safety and asset longevity priorities (such as ensuring that structures were safe), ensuring the Council was addressing the areas of the network in most need of resolving.

The Council also received specific allocations through competitive grant programmes and awards that were provided to deliver prescribed pieces of work, which were dependent upon national/regional criteria. Any awards for such projects by-passed the scoring criteria, although that may be used to identify the most suitable candidates, and could be awarded throughout the year. The proposals within the submitted report included all known awarded allocations at time of approval, but those could be subject to change.

The full funding allocations used to identify the projects/programmes were detailed in Appendix 2 of the submitted report.

OPTIONS

The other potential decisions that had not been recommended included:

- 1. Do nothing - that was not recommended as it would not have allowed the Council to allocate funding and make the necessary arrangements in advance of receipt of the allocations. The delivery of infrastructure improvements required prudent planning, and co-ordination, so approvals in a timely manner were pivotal to ensuring a successful delivery programme.**
- 2. Re-assessing the project proposals - that was not recommended, as they had been identified using a scoring matrix to ensure best allocation of resources. Any changes would have deviated from the process, and added delays to progressing.**

ORDERED

That the allocation of funding to develop and deliver infrastructure improvements, as outlined within the report, be approved.

REASON

It planned allow prudent allocation of funding to ensure that the Council was not only working toward its ambitions and objectives, but was allocating resources to ensure statutory requirements placed upon the Council as the Highway Authority, 'to ensure the safe and expeditious movement of people and goods on its network' were met.

The allocations that were being proposed were based on ensuring a balance between maintaining existing asset, and making improvements to the accessibility of the current network/alternate modes of transport enhancements. That balance was crucial in order to ensure the safety of the infrastructure, and to assist in encouraging sustainability of the network.

21/111

FOUNTAIN COURT REFURBISHMENT - PHASE TWO WORKS

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 provide an update on the project's progress and seek delegated approval for the phase two contract award.

Following the purchase of Fountain Court in spring 2021, a lot of work had been undertaken to ensure the building would meet the Council's requirements to be a modern, collaborative place to work. The report, which had been submitted to the Executive on 5 October 2021, approved the £7m budget required to refurbish and fit out Fountain Court ahead of its occupation by Council staff.

Following survey and design work, in October 2021, Overbury Plc were appointed by

Middlesbrough Council to carry out the phase one demolition and strip out of Fountain Court. The phase one works commenced in November 2021 and had removed walls, old kitchens, WCs and mechanical and electrical services ready for the phase two refurbishment and fit out works.

The phase one contract also included the creation of larger window openings ready for new windows to be installed, as the current windows were nearing the end of their life. Most of the new windows would be floor to ceiling height, which planned to significantly improve natural light and the building's internal and external appearance. Moreover, they would be opening windows, which planned to improve the building's ventilation. The phase one strip out works was completed on 18 February 2022.

The phase two work was originally intended to be delivered through the phase one contractors, Overbury. Overbury had submitted its phase two tender to the Council at the beginning of December 2021. The tender return was in sections, the first being the installation of all Mechanical and Electrical (M&E) works and the second covering the builders work to refurbish the building pre-furniture install.

The M&E tender return was within the target costs set out in the scope of the work, however, the builders work was significantly over the allocated budget. The Council offered some value engineering in an attempt to bring the cost down, albeit that was not enough to achieve the saving and establish best value for the work.

As such, the Council issued a new set of tender documents to five contractors on 31 January 2022 and their tenders had been returned on 7 March 2022. The contractors had been selected based on their specialism and track records. That was for the builders work only and management of the lowest M&E contractor from the December 2021 tender return.

After completion of the phase one work, a security firm would be on site to safeguard the building until the main contractor started work on site in April.

The completion date for the phase two work would be confirmed through the tender process but was targeted for the end of August 2022, with the furniture install and ICT fit out taking place in early September, ready for occupation.

The timetable for the project was summarised in the table below paragraph 12.

OPTIONS

The other potential decisions that had not been recommended included:

The Council could do nothing - If the Council did not grant delegated approval, the decision to award the contract would have been submitted to the Executive for approval, which would have caused an unnecessary significant delay to the programme and the date for occupation.

ORDERED

- 1. That the progress made on phase one works at Fountain Court be noted.**
- 2. That approval for the award of the phase two refurbishment works contract be delegated to the Director of Regeneration and Culture, Richard Horniman and Director of Finance, Ian Wright.**

REASON

The costs provided by Overbury for phase two were in excess of the available budget and value for money could not be evidenced. In order to maintain programme, it was imperative the Council could award the contract for phase two to an alternative contractor without delay following receipt of a suitable tender for the works on 7 March 2022. Delegating approval for the award of the phase two refurbishment works would ensure the contract could be awarded in an expedient manner.

SERVICE RESPONSE

The Adult Social Care and Services Scrutiny Panel had undertaken a review of The Recruitment and Retention of Staff within Adult Social Care. A copy of the full report was attached.

The scrutiny panel had made 6 recommendations upon which a response was sought from the relevant service area. The Executive Member for Adult Health and Public Protection, ICT and Digital Inclusion and the Director of Adult Social Care and Health Integration submitted a service response to the recommendations of the Adult Social Care and Services Scrutiny Panel. A copy of the Action Plan was attached.

The Chair of the Adult Social Care and Services Scrutiny Panel presented the final report to the Executive. The Mayor (on behalf of the Executive Member for Adult Health and Public Protection, ICT and Digital Inclusion) presented the service response.

ORDERED

1. **That the content of the Adult Social Care and Services Scrutiny Panel's final report, on The Recruitment and Retention of Staff within Adult Social Care, be noted.**
2. **That the Action Plan, developed in response to the scrutiny panel's recommendations, be approved.**

REASON

It was a requirement that Executive formally considered the scrutiny panel's report and confirmed the service area's response to the panel's accompanying plan.

21/113

TOWNS FUND - WARD INITIATIVES

The Mayor and the Director of Regeneration and Culture submitted a report for the Executive's consideration. The purpose of the report was to seek approval to deliver the programme of schemes developed as part of the Towns Fund Ward Initiative Project and for the Council to adopt and maintain the assets.

The Town Deal Board had approved £1m funding for the project. An online survey of residents had been supplemented with a process of seeking expressions of interest from Ward Councillors, to identify local priorities with community support. Parks, green spaces and play areas had been found to be the areas requiring greatest investment, which had been reflected in consultation preferences.

Ten projects had been submitted by Members and those were cross referenced with the Elected Members Small Scheme (EMSS), to avoid duplication. Projects to the value of approximately £420k had been identified by Members with the indicative project costs validated by Environment and Community Services (ECS).

Member, Executive and Mayoral requests had also been identified through discussions with ECS, Cultural Services and Sports and Leisure. Priorities had been recorded by the Strategy, Information and Governance Team. Those priorities had identified a significant list of additional projects/requests, which would meet the objectives of the Town Deal allocation. 29 potential projects had been identified, costing over £1.26m.

The long list of projects submitted had been assessed against programme objectives, eligibility, local impact, deliverability and long-term liabilities. The recommended list included all of the eligible Member submissions and equated to the full £1m available from the Towns Fund. The agreed list was attached at Appendix A1 of the submitted report. Those projects not prioritised, would be held in reserve, should a selected scheme not go ahead. Those not currently supported, but held in reserve, were detailed at Appendix A2.

The proposed programme, for approval, was contained under paragraph 6 of the submitted report.

OPTIONS

The other potential decisions that had not been recommended included:

- Do nothing - That was not recommended, as it would not have met the requirements of the Towns Fund or address local issues.
- Invest the Council's own resources - The Council did not have adequate funding to deliver projects on the scale required.
- Invest less Towns Fund resource - The funding allocated was felt to be a minimum requirement to make a real and lasting change to Middlesbrough's environment. Suggested projects far exceeded the funding available.

ORDERED

1. That it be noted that the business case for the Towns Fund Ward Initiatives Project had been approved by Middlesbrough's Town Deal Board.
2. That the programme of works developed as part of the Towns Fund Ward Initiatives Project, as set out in appendix A1, be approved.
3. That the assets created by the investment be adopted and maintained by Middlesbrough Council, as appropriate.
4. That works commence to deliver the programme as soon as possible, subject to supply chain lead times, local notifications/consultation and any required planning permissions.
5. That the Director of Regeneration and Culture and Director of Environment and Community Services, in consultation with the Mayor, be authorised to determine an alternative project for delivery and form the reserve list, should any project be unable to progress due to any legal or technical reason.

REASON

The proposal planned to deliver projects requested and required by residents and Councillors to address issues and provide improved facilities on a Ward level.

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.