

EXECUTIVE

Date: Tuesday 10th August, 2021
Time: 1.00 pm
Venue: Council Chamber

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Minutes - Executive - 13 July 2021 3 - 8

DEPUTY MAYOR AND EXECUTIVE MEMBER FOR CULTURE AND COMMUNITIES

4. Engagement Policy 2021-22 9 - 26

EXECUTIVE MEMBER FOR ENVIRONMENT AND FINANCE & GOVERNANCE

5. Nunthorpe Grange Farmhouse, Yard & Barns - Proposed Freehold Disposal 27 - 38
6. Any other urgent items which in the opinion of the Chair, may be considered.

Charlotte Benjamin
Director of Legal and Governance Services

Town Hall
Middlesbrough
Monday 2 August 2021

MEMBERSHIP

A Preston (The Mayor) (Chair) and Councillors B Cooper, S Hill, E Polano and M Smiles

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Chris Lunn / Georgina Moore, 01642 729742 / 01642 729711, chris_lunn@middlesbrough.gov.uk / georgina_moore@middlesbrough.gov.uk

EXECUTIVE

A meeting of the Executive was held on Tuesday 13 July 2021.

PRESENT: A Preston (The Mayor) (Chair) and Councillors B Cooper, S Hill, E Polano and M Smiles

PRESENT BY INVITATION: Councillors C McIntyre and M Saunders

ALSO IN ATTENDANCE: Councillor B Hubbard, Councillor J McTigue and A Metcalfe

OFFICERS: M Adams, C Benjamin, S Blood, G Field, L Grabham, R Horniman, A Hoy and T Parkinson

APOLOGIES FOR ABSENCE: No apologies had been received.

21/25 **DECLARATIONS OF INTEREST**

Name of Member	Type of Interest	Item/Nature of Interest
Councillor M Smiles	Non-Pecuniary	Agenda Item 4 - Community Safety Plan 2020-2022/ Spouse employed by Cleveland Police

21/26 **MINUTES - EXECUTIVE - 28 JUNE 2021**

The minutes of the Executive meeting held on 28 June 2021 were submitted and approved as a correct record.

21/27 **COMMUNITY SAFETY PLAN 2020-2022**

The Deputy Mayor and Executive Member for Culture and Communities and the Director of Environment and Community Services submitted a report for the Executive’s consideration. The purpose of the report was to provide a summary of the priorities within Middlesbrough’s Community Safety Plan 2020-22 (see Appendix 1 of the submitted report) and set out its delivery plan (see Appendix 2).

The Crime and Disorder Act 1998 placed statutory obligations on local authorities and the police to work in partnership with health authorities and other relevant agencies to prevent crime and disorder.

Legislation required the partnership to produce a plan detailing how it intended to tackle crime and disorder and develop strategies to tackle short, medium and long-term priorities.

During 2019/2020 the Community Safety Partnership held a series of multi-agency workshops and three overarching priorities had been identified - Perceptions and Feeling Safe, Tackling the Root Causes and Locality Working (including the town centre).

The objectives in respect of each priority were outlined in the submitted report.

ORDERED

That the annually revised delivery plan aiming to deliver on the priorities within the Community Safety Plan 2020-2022, as agreed by the Community Safety Partnership, be approved.

REASON

It was a statutory requirement for the Local Authority's Community Safety Partnership to develop and produce a Community Safety Plan under the 1998 Crime and Disorder Act.

The key objectives set out in the plan were based upon assessment of crime and disorder issues across the town and reflected the views of the community and partners.

21/28

GREEN AND BLUE INFRASTRUCTURE STRATEGY 2021 - 2037

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 adopt the Green and Blue Infrastructure Strategy 2021 - 2037 (GBIS).

The GBIS would be used by the Council to help shape the future of the borough. The GBIS planned to ensure that new and existing communities lived in quality places, accessible to green and blue infrastructure. The strategy would help the Council frame its response to emerging issues, including achieving biodiversity net gain and climate change prevention/mitigation.

In preparing the GBIS, statutory consultees and other key stakeholders, including Councillors, had been consulted and invited to take part in stakeholder workshops. The outcomes of the engagement had been taken into consideration in finalising the GBIS.

The key aspects of the strategy were contained at paragraph 8 of the submitted report.

The GBIS was accompanied with an action plan, which identified a series of 15 objectives from the baseline review and key stakeholder consultation, those were detailed at paragraph 9. In addition, the action plan identified 12 priority opportunities, which were contained at paragraph 10.

The final version of the GBIS had two parts, which were attached at Appendices 1 and 2 of the submitted report.

Following its adoption, it was planned that the GBIS would be used:

- as part of the evidence base for the Local Plan;
- as a material consideration in the determination of any future planning applications;
- to inform the Green Strategy; and
- to support relevant projects.

OPTIONS

Not to adopt the Green and Blue Infrastructure Strategy 2021-2037 - That would have meant that the Council would not have had a clear strategy for delivering the land-use and spatial aspects of its Green Strategy. It would have been more challenging to deliver green and blue infrastructure, of the right quality, to support future needs.

ORDERED

That the Green and Blue Infrastructure Strategy 2021 - 2037 be adopted.

REASON

The GBIS set out the key land-use and spatial priorities and opportunities to help deliver the Council's Green Strategy, and ensure that there was sufficient green and blue infrastructure, of the right types, to support the needs of existing and future residents. It would provide the evidence base to support the emerging Local Plan and would become a material consideration in future planning applications.

21/29

FINAL REPORT OF THE CULTURE AND COMMUNITIES SCRUTINY PANEL - COMMUNITY COHESION AND INTEGRATION - SERVICE RESPONSE

The Culture and Communities Scrutiny Panel had undertaken a review of Community Cohesion and Integration. A copy of the full report was attached.

The scrutiny panel made four recommendations upon which a response was sought from the relevant service area. The Deputy Mayor and Executive Member for Culture and Communities and the Director of Environment and Community Services submitted a service response to the recommendations of the Culture and Communities Scrutiny Panel. A copy of the action plan was attached.

The Chair of the Culture and Communities Scrutiny Panel presented the final report to the Executive. The Deputy Mayor and Executive Member for Culture and Communities presented the service response.

ORDERED

1. **That the content of the Culture and Communities Scrutiny Panel's Final Report, on Community Cohesion and Integration, 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.

21/30

ECS INSTALLATION OF TOWN WIDE LIGHTING SCHEME

The Executive Member for Environment and Finance & Governance and the Director Environment and Community Services submitted a report for the Executive's consideration. The purpose of the report was to provide information on the Strategic Priority TOC 04 and request capital funding to enable its delivery.

Further to the successful outcome relating to a number of buildings and key landmarks having external lighting installed during 2020/21, a Strategic Priority had been agreed to undertake a further programme of works during 2021/22. The programme included:

- Town Hall / Municipal (North) - installation of ground lights;
- Bell Structure in town centre - ground and spot lights;
- Dock Clock Tower - installation of new lighting; and
- additional schemes - to be agreed.

OPTIONS

As it was an agreed Strategic Priority, no other decision was recommended.

ORDERED

That the requested £200,000 funding be approved to allow the Strategic Priority to be actioned.

REASON

To ensure that the agreed Strategic Priority was delivered within the stated timeline.

21/31

MIDDLESBROUGH COUNCIL LONG-TERM FINANCIAL SUSTAINABILITY

The Executive Member for Environment and Finance & Governance and the Director of Finance submitted a report for the Executive's consideration. The purpose of the report was to advise of the publication of the new CIPFA Financial Management Code (FM Code), present an initial self-assessment and provide the results of the CIPFA Financial Resilience Index 2021 and a comparison and analysis with other local authorities.

In response to recent concerns (even before COVID-19) around the financial resilience of local authorities, CIPFA had introduced a new FM Code as part of a package of measures that it was putting in place. Those measures had been driven by the exceptional financial circumstances faced by local authorities, having revealed concerns about fundamental weaknesses in financial management. In particular, there had been a small number of high-

profile failures across local government, which threatened stakeholders confidence in the sector as a whole.

The CIPFA Financial Management Code (FM Code) was designed to support good practice in financial management and to assist local authorities in demonstrating their financial sustainability.

As a first step towards ensuring that the Council met the FM Code in 2021/22, the Chief Finance Officer had produced a draft Initial Self-Assessment against the FM Code, which was attached at Appendix 1 of the submitted report. The Self-Assessment would be continually reviewed and refined on an ongoing basis, to ensure standards were maintained and any actions were implemented.

The completion of the Initial Self-Assessment had identified a range of further actions required, which were summarised at paragraph 24 of the submitted report and detailed in Appendix 1.

The CIPFA's Financial Resilience Index was a comparative analytical tool designed to provide local authorities with a clear understanding on their position in terms of financial risk and their ability to respond to financial pressures. An analysis of the various indicators had been made by comparing Middlesbrough Council's results for each indicator against its CIPFA Statistical Nearest Neighbours (a group of local authorities with similar characteristics to Middlesbrough Council) and the North East Neighbours. Key points of the analysis were detailed at paragraph 33 of the submitted report and the full analysis was contained Appendix 2.

ORDERED

1. **That the content of the report be noted.**
2. **That the key points of the CIPFA Financial Management Code (FM Code) and the initial self-assessment of compliance with the Code, the associated actions arising to ensure full compliance and the next steps, be noted.**
3. **That the results of the analysis of the CIPFA Financial Resilience Index 2021 be noted.**

REASON

To contribute to ensuring the long-term financial sustainability of the Council.

21/32

LAND AT ST DAVID'S WAY - PROPOSED FREEHOLD DISPOSAL [PART A]

The Executive Member for Environment and Finance & Governance and the Director of Finance submitted a report for the Executive's consideration. The purpose of the report was to consider the proposal to dispose of the Council's freehold interest in land at St David's Way.

The subject parcel of land currently formed part of a much larger, and now defunct, secondary school site, held in two equal halves by the Council and the Roman Catholic Diocese of Middlesbrough.

Shown edged on the plan attached at Appendix A of the submitted report, the subject parcel of land held by the Council measured @ 7.51 Acres [3.04 Hectares] - the adjoining parcel held by the RC Diocese measured @ 7.32 Acres [2.96 Hectares] and was attached at Appendix B of the report.

The land held in Council ownership comprised former playing fields that previously served the now cleared school, and which as well as being overgrown through lack of use, currently sat vacant, not being held by the Council for any identified operational purpose. Irregular in shape, the site comprised an open and vacant area of land, generally flat, and with established boundary tree and hedgerow cover.

It was proposed that access to the subject parcel of land would be taken via the existing highways arrangement at St David's Way, with that roadway being brought up to adoptable standard through the planning process.

An Asset Disposal Business Case confirming the status of the subject land as surplus to

operational Council requirements was attached as Appendix D to Part B of the report.

ORDERED

1. That the information contained in Part A of the report be noted.
2. That the decision be taken once all the financial or exempt information contained in Part B of the report had been considered.

REASON

In order to meet the Council's requirements to generate capital receipts, increase annually recurring revenue streams and to bring the subject parcel of land into a far more beneficial use in the future.

In order to support the delivery of housing numbers on sites identified by the Council for residential development purposes within the Local Plan Framework.

The disposal of the subject parcel of land as proposed supported delivery of the Council's Medium Term Financial Plan.

21/33 **EXCLUSION OF THE PRESS AND PUBLIC**

The resolution to exclude the press and the public was agreed.

21/34 **EXEMPT - LAND AT ST DAVID'S WAY - PROPOSED FREEHOLD DISPOSAL [PART B]**

The Executive Member for Environment and Finance & Governance and the Director of Finance submitted a report for the Executive's consideration.

ORDERED

That the recommendations of the report be approved.

REASONS

The decision was supported by the following reason:

For reasons outlined in the report.

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.

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MIDDLESBROUGH COUNCIL	
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Report of:	Deputy Mayor and Executive Member for Culture and Communities - Councillor Mieka Smiles Director of Legal and Governance Services - Charlotte Benjamin
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Submitted to:	Executive - 10 August 2021
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Subject:	Engagement Policy 2021-22
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Summary

Proposed decision(s)

That the Executive approves the proposed Engagement Policy for 2021-22.

Report for:	Key decision:	Confidential:	Is the report urgent?
Decision	No	No	No

Contribution to delivery of the 2021-24 Strategic Plan

People	Place	Business
The proposed policy will ensure that public engagement undertaken by the Council is lawful and that its contribution to the delivery of the Council's Strategic Plan is maximised.		

Ward(s) affected

There is no direct impact on any ward from the recommendations of this report.

What is the purpose of this report?

1. This report seeks approval of a proposed corporate Engagement Policy for 2021-22.

Why does this report require a member decision?

2. The Council's Scheme of Delegation gives the Executive collective responsibility for corporate strategic performance, together with associated action. This policy is an activity required under the Strategic Plan workplan approved by Executive in May 2021.

Report Background

3. The Council's corporate Consultation and Engagement Policy was last formally updated in 2016, with its scheduled review in 2019 delayed by the Council's OFSTED ILACS inspection and then the COVID-19 pandemic.
4. The existing policy is largely focused on providing a robust framework for undertaking formal consultations in line with statutory requirements and case law. However, the Council has acknowledged for some time that it needs to evolve its approach to more asset-based and deliberative approaches to engagement, keeping pace with the wider local government sector.
5. The Executive has noted in the past the extent of local opposition to some of the Council's proposed initiatives, particularly in respect of planning schemes, and how different engagement approaches could have been used to mitigate such opposition, reducing the considerable impact on the Council in terms of addressing complaints, statutory public information requests, and so on. This issue has also been identified in previous Peer Reviews of the Council commissioned via the Local Government Association and has been at the heart of social regeneration activity in recent years.
6. The proposed revised engagement policy (at Appendix 1) provides a framework further developing the Council's approach, building on work undertaken with communities prior to and during the pandemic, including the locality working pilots. It supports the 'Quality of Service' strategic priority of the Council's Strategic Plan and is aligned with the corporate value of collaboration.
7. The principal aim of this policy is for the Council's service to take an 'asset-based' approach to engagement, working with Middlesbrough's people and its communities and the Council's partners to recognise strengths and from these increase independence and self-reliance over time.
8. The policy will seek improvements in the following metrics:
 - volunteering numbers;
 - the split between consultation and deliberative, ongoing approaches;
 - number of community bodies and reference groups in place;
 - proportion of communities for which there is a clear plan in place;
 - complaints or public information requests regarding the Council's engagements;
 - satisfaction with the way the Council runs things;
 - satisfaction with the local area;
 - strong sense of belonging to the local area;

- people pulling together to improve the local area; and
 - people from different backgrounds get along well.
9. Such approaches have been adopted by other local authorities, most notably Wigan Metropolitan Borough Council, where its 'Deal' with local communities resulted in significant positive impacts on local health and social care, in particular.
 10. In implementing this policy, the Council will seek to work with communities to address the 'democratic deficit' and digital exclusion that exists within Middlesbrough (as it does within other deprived local authority areas), building the capacity of communities over time through training, support and appropriate investments.
 11. The ongoing development of the Council's engagement approach will be integrated with the delivery of the Community Governance review agreed by full Council on 28 July 2021, which will include consultation with communities on the following matters relating to this policy.
 12. In approving the Strategic Plan Progress Update – Quarter Three 2019/20 report (February 2020), the Executive noted that the planned Local Government Association (LGA) peer challenge focusing on the Council's engagement would be delayed to allow the Council to focus on the post-OFSTED improvement journey within Children's Services. The proposed policy is informed by the best practice guidance set out in the LGA's 'New Conversations 2.0' guidance and the Council will now commission its further support so that the ongoing development of this policy is informed by the experience of local authorities that have successfully implemented engagement approaches elsewhere.

What decision(s) are being asked for?

13. That the Executive approves the proposed Engagement Policy for 2021-22.

Why is this being recommended?

14. To provide an enhanced framework for public engagement that is coherent and effective, builds trust with communities, ensures that the voices of communities are heard in the Council's decision-making and that that Council complies with all legal duties relating to engagement and consultation.
15. This 'single policy' option provides the greatest level of assurance that the Council will continue to meet its statutory obligations, and achieve its own strategic ambitions in respect of public engagement, and is recommended on this basis.

Other potential decisions and why these have not been recommended

Option 1: No policy

16. There is no legal requirement for a corporate policy on public engagement, however such a policy, its supporting procedures and guidance provide a clear framework under which the Council's officers can ensure that engagement is consistent, effective and complies with the law. As such, this option is not recommended.

Option 2: Status quo

17. The Council could decide to retain the current policy and approach, which has been stated focuses principally on formal consultations. This would maintain the current robust approach to consultation, but see more deliberative engagement activity evolve in an unplanned and unlinked manner, if at all. As such, this option is not recommended.

Option 3: Additional policy

18. The Council could decide to retain the existing policy and develop an additional policy in respect of deliberative engagement approaches. This would see such approaches develop in a more planned manner, but not provide for a consistent or joined-up approach across engagement activity overall. As such, this option is not recommended.

Impact(s) of recommended decision(s)

Legal

19. Effective implementation of the proposed policy and the associated supporting procedure will ensure that the Council continues to meet its various legal duties in respect of public consultation (as set out within the proposed policy) and so avoid legal challenge and potential sanctions.

Financial

20. Implementation of the proposed policy will require additional training and capacity building both within the Council and within local communities, however it is anticipated at this stage that all activities required by the policy are achievable within existing and planned budgets. Should consultation on the Community Governance Review demonstrate that additional investment is needed, a further report will be brought to the Executive if required.

Policy Framework

21. The development and implementation of the proposed policy as a key activity within the 'Quality of Service' priority of the Strategic Plan workplan approved by the Executive in May 2021. As such, the proposed policy underpins the delivery of the Strategic Plan and so does not seek to vary the Council's Policy Framework.

Equality and Diversity

22. The proposed policy has been subject to Level 1 (screening) equality impact assessment (at Appendix 2). This assessment found that implementation of the policy would have a positive impact on diverse groups and communities within Middlesbrough as it will recognise their strengths, build their independence and ensure that their voices are heard in the Council's decision-making.

Risk

23. Implementation of the proposed engagement policy mitigates a number of risks within the Council's strategic and information risk registers, including: (O8-054) Legal

compliance, organisational effectiveness and / or achievement of objectives is impacted by failure to operate an effective corporate governance framework and associated processes.

Actions to be taken to implement the decision

24. If approved by the Executive, the policy will be made available on the Council's Open Data site and staff intranet page. Supporting procedures and guidance will be developed and revised as appropriate, and the Council's privacy notices updated where required.
25. An officer working group will be convened to ensure that consultation and development in respect of the Community Governance Review, this policy and all associated activity is appropriately joined-up and set out within the Strategic Plan workplan, with the Executive updated on progress via scheduled quarterly corporate performance update reports.
26. It is anticipated that the proposed policy will change as a result of the planned engagement with communities and the LGA peer review, and as such it will be reviewed after one year and a revised version brought back to the Executive for approval.

Appendices

- 1 Engagement Policy 2021-22
- 2 Engagement Policy 2021-22 – Impact Assessment Level 1: Initial screening assessment

Background papers

09/09/16 Executive Member for Finance and Governance; Consultation and Engagement Policy

Contact: Paul Stephens, Head of Strategy, Information and Governance

Email: paul_stephens@middlesbrough.gov.uk

Appendix 1: Proposed Engagement Policy 2021-22

	<h1>Engagement Policy</h1>
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Creator	Author(s)	Paul Stephens		
	Approved by	Executive		
	Department	Legal and Governance Services		
	Service area	Strategy, Information and Governance		
	Head of Service	Paul Stephens		
	Director	Charlotte Benjamin		
Date	Created	2021/07/01		
	Submitted	2021/08/02		
	Approved	2021/08/10		
	Updating Frequency	One year		
Status	Version: 1.0			
Contributor(s)	Governance and Information Manager.			
Subject	Public engagement			
Type	Policy			
	Vital Record		EIR	
Coverage	Middlesbrough Council			
Language	English			

Document Control

Version	Date	Revision History	Reviser
1.0	2021/07	First version	P Stephens

Distribution List

Version	Date	Name/Service area	Action
1.0	2021/08	Executive	Approval

Contact:	data@middlesbrough.gov.uk
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Summary

1. This policy provides a framework for the undertaking of public engagement by the Council, ensuring that all such activity is lawful and its contribution to the delivery of the Council's Strategic Plan is maximised.
2. The following sections outline:
 - the purpose of this policy;
 - definitions;
 - scope;
 - the legislative and regulatory framework;
 - roles and responsibilities;
 - policy detail;
 - supporting policies, procedures and standards; and
 - monitoring and review arrangements.

Purpose

3. Through the implementation of this policy the Council aims to:
 - take an asset-based approach to engagement, working with Middlesbrough's people and its communities and the Council's partners to recognise strengths and from these build independence and self-reliance;
 - provide clarity on its engagement offer to local communities, maintaining compliance with the law while broadening its practice over time into more deliberative engagement approaches, empowering communities more over time;
 - ensure that communities, officers and members are enabled to engage in this asset-based approach and maximise the opportunities it will provide; and
 - as a result of this bring about significant improvements in satisfaction with local areas and the wider determinants of health.
4. This will deliver the following benefits:
 - the Council will be able to demonstrate its compliance with the law;
 - communities will understand how they can engage with the Council, and how their voices will be heard;
 - the energy and resources of communities will be unlocked and mobilised;
 - the capacity of communities for self-help and self-management will be increased;
 - social isolation of individuals within communities will be reduced;
 - trust between the Council and its communities and between communities themselves will be increased;
 - the Council will make more effective, value for money decisions;
 - satisfaction with the Council and its services will be increased; and
 - local democracy within Middlesbrough will be strengthened.
5. Effective public engagement will also help the Council mitigate the following risks:
 - taking poor decisions based inadequate engagement;
 - community frustration at the Council's engagement;
 - the potential for legal challenge and decisions being overturned;

- the significant reputational and financial impact of the above.

Definitions

6. The key terms used in this policy are defined below.

Communities

7. A group of individuals that have commonality or are brought together by place, identity, interest, action, practice, circumstance, position, or other reason.
8. Individuals can belong to many communities and the communities to which they belong will change as their life changes.
9. Communities are largely self-defining and self-organising. The Council has a role in defining, establishing and supporting representative bodies of communities of place within Middlesbrough, particularly those which it may choose to empower to make decisions, or delegate the delivery of services.

Engagement

10. Any activity that involves dialogue between the Council and individuals and / or communities and offers the opportunity to strengthen relationships, whether formal or informal, time-limited or ongoing.
11. This covers everything from the provision of information to formal consultations to mechanisms that involve individuals and communities in, collaborate with them upon and empower them to take, decisions in relation to strategy, policy and service design and delivery.
12. The Council's approach to engagement will involve one or a combination of the below activities.

Informing

13. Providing individuals or communities with timely and accurate information to assist them in understanding an issue. This may support consultation and / or include an offer to become involved in, collaborate upon, or be empowered to take a decision.

Consulting

14. A formal process through which the opinion of communities will be requested, collated and analysed. The parameters around which consultations are undertaken are defined by case law and in some cases specific legislation.

Involving

15. Working with communities throughout the decision-making process to ensure that the views of communities are understood and considered, and how those views influenced the decision is in turn understood by those communities.

Collaborating

16. Partnering with communities on each aspect of the decision, using their experience and knowledge in the development of alternatives and identifying the preferred solution.

Empowering

17. A collaboration in which the final decision is in the hands of communities, supported by the Council as appropriate.

Asset-based community development

18. Working with local people and communities in a way that seeks to recognise strengths, and from these build independence and self-reliance, utilising deliberative engagement techniques where appropriate.

Scope

19. This policy applies to all public engagement undertaken by the Council, through any channel (e.g. face-to-face, online).
20. The policy applies to all Council employees and any other party undertaking public engagement on behalf of the Council by contract.
21. The policy applies to all those that are served by the Council, including residents (including children and young people), businesses, visitors and other customers, and (in respect of consultation) those delivering services on behalf of the Council.
22. While many of the key principles are the same, the policy does not apply to internal engagement with elected members, employees and / or trade unions.

Legislative and regulatory framework

23. The Council must comply with all legislation, both general and specific, pertaining to engagement, as outlined below.

Local Government Act 1999, Section 3(2)

24. To fulfil the Best Value Duty, the Council has a duty to consult those who use or are likely to use services it provides at all stages of the commissioning cycle, including the decommissioning of services. This includes specific regulations relating to consultation with the voluntary sector and SMEs.

Local Government and Public Involvement in Health Act 2007

25. This Act devolves powers to principal local authorities to undertake Community Governance Reviews in their areas i.e. determine parish councils and other arrangements, through engagement with its communities.

Equality Act 2010, Section 149 Public Service Equality Duty (PSED)

26. Consultation may be required to comply with the PSED. Consultation with people with different protected characteristics can provide an evidence base to assess the impact of decisions on those affected. The need for consultation is dependent upon the relevance and proportionality of the anticipated impact.
27. The PSED also requires the Council to have regard to the need to foster good relations between different groups.

Local Government Finance Act 1992, Section 65

28. The Council has a duty to consult representatives of non-domestic ratepayers on the Council's expenditure plans.

Local Government Finance Act 2011

29. The Council has a duty to consult on the introduction and revision of localised Council Tax reduction schemes.

Childcare Act 2006, Section 5d

30. The duty to consult before any significant changes are made to children's centre provision.

Children and Families Act 2014, Section 19

31. The duty to consult children, parents and young people in relation to reviewing educational, training and social care provision, when considering local priorities and outcomes as part of joint commissioning arrangement and EHC plans.

Planning and Compulsory Purchase Act 2004 / Town and Country Planning Regulations 2009

32. The Statement of Community Involvement (SCI) required by the above sets out the Council's policy for involving the community in the preparation of local development plan documents and in the consideration of planning applications.

Health and Social Care Act 2012

33. The Council has a duty to consult and involve patients, the public and representatives in the planning of commissioning of local health services.
34. The Council may also decide to carry out consultations where there is no statutory requirement to do so, but there is an ethical and / or value for money imperative.

The Gunning and Moseley principles

35. As set out above, the majority of legislation applies to consultation. Once a decision to consult has been taken (regardless of whether it is specifically driven by a legislative requirement), the content of the consultation is governed by the common

law duty of 'fairness'. The principles of 'fairness' were decided in 1985 by the Supreme Court and are known as the 'Gunning Principles'. These are:

- consultation should occur when proposals are still at a formative stage;
- consultation should give sufficient reasons for any proposal to permit intelligent consideration and response;
- consultation should allow adequate time for consideration and response; and
- there must be clear evidence that the decision maker given 'conscientious consideration' to consultation responses or a summary of them, before a decision is made.

36. In 2014, the Supreme Court advocated two further ('Moseley') principles:

- the degree of specificity of information provided should be influenced by those who are being consulted; and
- the demands of fairness are likely to be higher when the consultation relates to a decision which is likely to deprive someone of an existing benefit.

37. Essentially these two additional principles mean that in some circumstances, for a consultation to be considered lawful, the consultation document should not only refer to a 'preferred option', but also include other considered options and outline reasons why they may be unacceptable.

38. While there is practically no specific legislation pertaining to more deliberative engagement approaches as defined in this policy (e.g. collaborating, empowering), the Council will take the view that the common law duty applies also when such techniques are used in its public engagement activity.

Key roles and Responsibilities

39. Effective and lawful engagement is the collective responsibility of all members and officers of the Council. Appropriate training, guidance and support will be provided to members, officers and all others undertaking engagement on behalf of the Council.

40. The following services have specific responsibilities within this policy:

- Marketing and Communications will advise services on the effective provision of information to communities;
- Strategy, Information and Governance will advise services and commission training on consultation and other engagement processes and techniques, develop and maintain whole Council engagement activities and community and customer reference groups, and oversee the implementation of this policy, producing statistics and progress updates as appropriate;
- ICT Services support all services to implement digital engagement approaches;
- Democratic Services will promote engagement in local democratic structures, oversee member development and lead on Community Governance Reviews;
- Strategic Commissioning and Procurement will coordinate the Council's relationship with and oversee investment into the local voluntary and community sector;
- Community Learning will coordinate volunteering across the Council's services, linking with local community groups; and

- Stronger Communities will oversee the development of community plans, support the development of community structures and coordinate locality working and other joint working at a ward and sub-ward level.

Policy detail

41. The Council and its services must ensure that they understand what the communities they serve need, think and want. Wherever relevant, decisions made by the Council will be informed by effective engagement with local communities, and other parties as appropriate.
42. Traditional engagement methods (e.g. consultation) can often be disempowering, reinforcing views that local authorities are 'doing things to' communities, rather than working with them. The Council will therefore seek to develop an asset-based approach to engagement, working with Middlesbrough's people and its communities and the Council's partners to recognise strengths and from these build independence and self-reliance.
43. The Council will take steps to ensure that groups representing communities of place or identity that collaborate on or are empowered to take decisions on behalf of the Council are truly representative of the community that they represent, democratically constituted and appropriately governed.
44. The Council will in particular play a definitive role in determining parish councils and associated governance structures for communities of place in Middlesbrough through Community Governance Reviews, as set out in the Local Government and Public Involvement and Health (LGPIH) Act 2007. It is anticipated that the Council will undertake a Community Governance Review every fifteen years.
45. The Council's engagement with communities of place in Middlesbrough will align with electoral ward boundaries, enabling local ward councillors to play a key role. Service delivery may be planned and delivered on an area or multi-ward level, agreed with local communities. Current areas and wards of the town are set out below.

Area	Wards
East Middlesbrough	<ul style="list-style-type: none"> • Brambles and Thorntree • Berwick Hills and Pallister • North Ormesby • Park End and Beckfield
North Middlesbrough	<ul style="list-style-type: none"> • Central • Linthorpe • Longlands and Beechwood • Newport • Park
West Middlesbrough	<ul style="list-style-type: none"> • Acklam • Ayresome • Kader • Ladgate • Trimdon

Area	Wards
South Middlesbrough	<ul style="list-style-type: none"> • Coulby Newham • Hemlington • Marton East • Marton West • Nunthorpe • Stainton and Thornton

46. Decisions to transfer assets or devolve services to community groups or parish councils will be made by the relevant body of the Council.
47. The Council will identify and / or support the development of representative or reference groups for other communities to enable their effective engagement e.g. it will establish a children and young people's parliament and client reference groups for services.
48. The Council will build trust in local democracy by:
 - ensuring that engagement is integral to the way the Council does things;
 - being clear on how individual and communities can engage with the Council and its services, and the degree of influence on decisions on offer;
 - positioning local ward councillors at the heart of engagement with communities, seeking and helping to articulate community views and brokering compromise where needed;
 - involving local communities in co-producing outcomes, piloting and evaluating approaches such as citizens assemblies / juries; and
 - building on this, piloting and evaluating structured decision-making techniques with local communities e.g. in planning or budgeting.
49. The Council will publish a calendar of its statutory and other iterative engagements, setting out how communities can become engaged and what they will be able to influence. The latter will include 'Let's Talk' – the Council's annual conversation with local communities on key priorities for Middlesbrough, the Council's priorities and its annual budgets.
50. All engagements undertaken by the Council will comply with statutory requirements, where these apply, and all key principles for public sector engagement established through case law, including but not limited to, the Gunning and Moseley Principles.
51. Reports to decision makers will be written in a standard format that where relevant requires to views of stakeholders engaged to be clearly set out. While (unless otherwise stated consultations are advisory), the Council will make every effort to abide by the majority view and clearly explain when it cannot.
52. All engagements will be planned, delivered and evaluated in a systematic manner, across a range of channels, though it is expected that digital engagement will grow significantly during the period of this policy. The Council will provide feedback on how the engagement influenced decisions, in a 'we asked, you said, we did' format published on the Council's Open Data Site.

53. Wherever appropriate, the Council will work jointly with its partners in delivering engagement activity.
54. Activities to build trust in local democracy will take into account Middlesbrough's 'democratic deficit' – in common with other deprived local authority areas, turnout at national and local elections in Middlesbrough has historically been significantly lower than national averages and this also plays out local public engagement.
55. As such the implementation of more deliberative engagement approaches will require significant capacity building in local communities, alongside training on asset based approaches for elected members and officers, and it is expected the Council's approach will evolve over a number of years.
56. The Council will build trust in and between local communities by:
 - working with partners to promote, support and coordinate local volunteering to ensure that volunteers and communities derive the greatest benefit from the time contributed;
 - helping communities articulate, develop and monitor plans for their communities, including about how local services will be delivered to and within communities;
 - maintaining up-to-date lists of community and assets and supporting efforts to build capacity within communities for deliberative engagements;
 - work closely with communities to identify and address any local cohesion issues, ensuring that addressing such issues is central to community planning; and
 - ensure engagements are inclusive and representative of all communities by using a range of channels, techniques and support arrangements to engage the so-called 'hard to reach'.
57. The Council will work with local communities to develop a plan for those communities and publish these on its website. The Council will produce appropriate statistical analyses for those communities to support this work and track the progress of these over time.
58. These plans will outline arrangements for local public service delivery to or within that community, which will include:
 - an universal offer of locality working (e.g. officers in certain teams across the Council are allocated to a ward or non-geographic community and build a relationship with and work closely with the local community in improving outcomes); and / or
 - a mechanism for communities to request more intensive approaches in a particular ward or estate for a period to provide a greater visible presence where certain criteria are met (e.g. deprivation or long-standing anti-social behaviour issues).
59. Wherever appropriate, the Council will work jointly with its partners in delivering place-based services, maximising the impact on local communities.
60. The Council will build the trust of individuals and communities in its systems by:

- wherever practicable, building services around the citizen e.g. through personalisation and using this to build relationships within individual citizens and communities overall;
- using and developing digital e.g. via social media or online consultations in innovative ways to promote engagement;
- ensuring frontline staff see themselves as ambassadors on this issue and proactively encourage engagement; and
- maintaining an ongoing dialogue with communities that is marked in its predictability and consistency, developing a clear picture of community needs and ambitions.

61. The Council will ensure that there is a means for evaluating, coordinating and disseminating the intelligence and learning gained from its public engagement both internally and within local communities and partners as appropriate so that there is a shared understanding of community needs and aspirations and that this informs planning for those communities.

Supporting policies, procedures and standards

62. A supporting engagement procedure will be made available to Council officers in support of this policy, providing detailed guidance on how to plan, undertake and evaluate engagement. All engagement must comply with the standards set out within this procedure, alongside the Council's suite of equality policies and its data protection policy.

63. The procedure will be subject to impact assessment, including a data protection impact assessment, and the Council's privacy notices will be updated accordingly if needed.

Monitoring and review arrangements

64. The implementation and effectiveness of this policy and its supporting procedures will be reviewed on a quarterly basis by Corporate Governance Board, using the following metrics:

- volunteering numbers;
- the split between consultation and deliberative, ongoing engagement;
- number of community bodies and reference groups in place;
- proportion of communities for which there is a clear plan in place;
- complaints or public information requests regarding the Council's engagement;
- satisfaction with the way the Council runs things;
- satisfaction with the local area;
- strong sense of belonging to the local area;
- people pulling together to improve the local area; and
- people from different backgrounds get along well.

65. Issues arising will be reported to the management team where required.

66. The outcomes and learning from engagement will be coordinated, evaluated and disseminated by Corporate Strategy Board, informing horizon scanning and strategy and policy proposals as appropriate.

67. Data relating to the Council's engagement activity (redacted as appropriate) will be published annually on the Council's Open Data site on a periodic basis.
68. The Corporate Affairs and Audit Committee is responsible for oversight of the Council's corporate governance processes. To ensure appropriate oversight of engagement is maintained and annual progress report will be presented to this committee.
69. In line with the Council's policy review schedule, this document will be reviewed in one year and revised in line with engagement with local communities on the development of the Council's approach.

Complaints

70. Complaints relating to the Council's public engagement will be investigated in line with the Council's corporate complaints policy.
71. If the complainant remains dissatisfied following the SRO's response they will if appropriate be advised to write to the Local Government and Adult Social Care Ombudsman and / or the Information Commissioner's Office as appropriate.

Appendix 2: Impact Assessment Level 1: Initial screening assessment

Subject of assessment:	Engagement Policy 2021-22			
Coverage:	Overarching / crosscutting			
This is a decision relating to:	<input type="checkbox"/> Strategy	<input checked="" type="checkbox"/> Policy	<input type="checkbox"/> Service	<input type="checkbox"/> Function
	<input type="checkbox"/> Process/procedure	<input type="checkbox"/> Programme	<input type="checkbox"/> Project	<input type="checkbox"/> Review
	<input type="checkbox"/> Organisational change	<input type="checkbox"/> Other (please state)		
It is a:	New approach:	<input type="checkbox"/>	Revision of an existing approach:	<input checked="" type="checkbox"/>
It is driven by:	Legislation:	<input checked="" type="checkbox"/>	Local or corporate requirements:	<input checked="" type="checkbox"/>
Description:	<p>Key aims, objectives and activities</p> <p>The proposed policy provides a framework for the undertaking public engagement activities across the Council in compliance with all applicable laws and best practice standards.</p> <p>Statutory drivers</p> <p>A number of statutory duties, associated guidance and case law are relevant to the proposed policy, including the Best Value Duty to consult under Section 3(2) of the Local Government Act (1999).</p> <p>Differences from any previous approach</p> <p>The proposed policy provides a broader framework for public engagement than its predecessor, which focused largely on the approach to be taken to formal consultations.</p> <p>Key stakeholders and intended beneficiaries (internal and external as appropriate)</p> <p>Elected members, employees of the Council, local communities and businesses, partners, regulators.</p> <p>Intended outcomes</p> <p>To ensure that the Council’s approach to public engagement is compliant with statutory requirements and best practice, and that the Council’s decisions are informed by effective dialogue with local communities.</p>			

Live date:	As soon as the report is approved.			
Lifespan:	One year.			
Date of next review:	August 2022.			
Screening questions	Response			Evidence
	No	Yes	Uncertain	
Human Rights Could the decision impact negatively on individual Human Rights as enshrined in UK legislation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No. The policy will not contravene human rights as identified in national legislation.
Equality Could the decision result in adverse differential impacts on groups or individuals with characteristics protected in UK equality law? Could the decision impact differently on other commonly disadvantaged groups?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No. Consideration of the Council's Public Sector Equality Duty has shaped the development of the proposed policy. The proposed policy would have a positive impact by ensuring that all relevant protected groups are appropriately engaged in decisions affecting them using an asset-based approach to build their capacity and independence. It is supported by detailed guidance that outlines that appropriate equality monitoring must be undertaken on all consultations.
Community cohesion Could the decision impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No. The proposed policy would have a positive impact on social cohesion by ensuring that are issues are identified through ongoing dialogue with communities and that addressing those issues identified are at the heart of planning for that community.
Assessment completed by:	Paul Stephens, Head of Strategy, Information and Governance			
Date:	19/07/2021			
LMT approver:	Charlotte Benjamin, Director of Legal and Governance Services			
Date:	19/07/2021			

Report of:	Executive Member for Environment and Finance & Governance - Councillor Barrie Cooper Executive Member for Regeneration - Councillor Eric Polano Director of Finance - Ian Wright Director of Regeneration and Culture - Richard Horniman
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Submitted to:	Executive - 10 August 2021
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Subject:	Nunthorpe Grange Farmhouse, Yard & Barns - Disposal
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Summary

Proposed decision(s)
That Executive approves the proposal to proceed with the disposal of the Council's freehold interest in Nunthorpe Grange Farmhouse, Yard & Barns.

Report for:	Key decision:	Confidential:	Is the report urgent? ¹
Decision to dispose of property	Yes - exceeds the £150,000 threshold.	No	No.

Contribution to delivery of the 2020-23 Strategic Plan		
People	Place	Business
The proposed disposal will contribute towards choice and increase both the quality and quantity of homes available to residents within the Borough	Disposal of the subject property will bring a vacant and underutilised Council asset into far more positive future use.	The proposal will generate a significant capital receipt for the Council and help underpin its Medium Term Financial Plan.

Ward(s) affected
Nunthorpe

What is the purpose of this report?

1. The purpose of the report is to consider the proposal to dispose of the Council's freehold interest in Nunthorpe Grange Farmhouse, Yard & Barns.

Why does this report require a Member decision?

2. The proposal relates to the disposal of an asset deemed to be surplus at a value in excess of the £150,000 threshold.

Report Background

3. Shown edged on the plan attached as Appendix A of this report, the subject property is situated on Church Lane and occupies a rectangular shaped site measuring @ 2.37 Acres [0.959 Ha].
4. The property comprises a relatively modern farmhouse, yard and barns that form part of a much larger, now defunct, agricultural holding that has sat vacant since being surrendered by the Council's former farm tenant in 2018.
5. The Council proposes to market the property in local, national and digital media prior to offering it for open market sale at an auction event during the current financial year 2021/2022.
6. From a valuation perspective, the property is listed on the Council's asset register at a value of £460,000. This value is predicated on the imposition of a restrictive covenant that will limit use of the property to a single residential dwelling only. Future use of the barns for commercial, recreation or leisure purposes will not be restricted, with the Council being able to control any proposals to do so via the statutory planning process.
7. The Council's nominated auctioneer has valued the property at a figure of £470,000 and advised that it should be presented for sale at the subject auction event with a guide price of £415,000 and a reserve price of £460,000 plus fees.
8. An Asset Disposal Business Case confirming the status of the subject property as surplus to operational Council requirements is attached as Appendix B.

What decision(s) are being asked for?

9. That Executive approves the proposal to dispose of this property via auction if the price exceeds the reserve sum of £460,000 plus fees.

Why is this being recommended?

10. In order to meet the Council's requirements to generate capital receipts, increase annually recurring revenue streams and to bring the subject property into a far more beneficial use in the future.
11. The disposal of the subject parcel of land as proposed supports delivery of the Council's Medium Term Financial Plan.

Other potential decisions and why these have not been recommended

Re-use for operational purposes

12. No Council operational service requirement has been identified.

Other uses

13. Although the property is capable of being used for other purposes, future use of the property as a single residential dwelling only is preferred.

Do nothing

14. The property would remain in its present state.
15. Whilst the subject property would be retained for potential Council use in the future, the liability and responsibility for maintaining and holding the property would remain with the Council in the interim.

Impact(s) of recommended decision(s)

Legal

16. No specific legal issues have been created as a result of the proposal.
17. The property would be disposed of freehold with vacant possession in accordance with standing disposal protocol.
18. To protect Church Lane from over development, the Council will impose a restrictive covenant limiting the residential use of the property to that of a single dwelling only.

Financial

19. The Council would receive a capital receipt plus fees without the need to incur any further marketing costs.
20. The disposal of the property would remove the Council's liability for any future maintenance costs while it remains unused.
21. The disposal methodology proposed will ensure payment of best consideration.

The Mayor's Vision For Middlesbrough

22. The decision aligns to the Mayor's priorities around people, place & business by working in conjunction with third party organisations and individuals, to deliver both physical and social regeneration.

Policy Framework

23. The proposals do not require any change to the Council's existing policy framework.

Ward

24. The property is situated in the Nunthorpe Ward and the respective Ward Members have been consulted.
25. Members will be further consulted on any subsequent proposal made as part of the normal planning process.

Equality and Diversity

26. A Level 1 (Initial Screening) Impact Assessment (IA) accompanies this report attached at Appendix B.
27. The impact assessment identified that the proposal would have a positive impact on the local community and would not represent a concern to equal rights, disability discrimination or the impingement of human rights.
28. The Council's development control planning process would also serve to ensure that any future use proposed would be appropriate for the local area.

Risk

29. Located in an isolated rural area, the property remains vulnerable to trespass, vandalism and other similar acts of anti-social behaviour. Should the proposal to dispose of the property via auction fail to deliver a workable sale, the Council will be required to bear the costs of holding and maintaining the property going forward.

Actions to be taken to implement the decision(s)

30. Subject to Executive Committee approval, the Council moves to:
 - a. Advertise the subject property on the open market for sale via an auction event during the current financial year 2021/2022.
 - b. Proceed with the disposal of the subject property if the price exceeds the reserve sum of £460,000 plus fees.

Appendices

Appendix A – Site Plan – Nunthorpe Grange Farmhouse, Yard & Barns

Appendix B – Asset Disposal Business Case

Appendix C – Impact Assessment Level 1 – Initial Screening Assessment

Background papers

No further reports were used in the preparation of this report:


Body	Report title	Date
N/A	N/A	N/A

Contact: David Velemir, Valuation & Estates Manager

Email: david_velemir@middlesbrough.gov.uk

Site Plan – Nunthorpe Grange Farmhouse, Yard & Barns



 <p>©Crown Copyright and database rights 2019 Ordnance Survey LA10023413</p>	<p>Nunthorpe Grange Farmhouse & Barns Church Lane Middlesbrough</p>	Scale : 1:1,250
		Date : 05/05c/2021
		Drawn : E.S
		Drg No : VAL 5209 B

Asset Disposal Business Case

Name of Asset:	Nunthorpe Grange Farmhouse, Yard & Barns - Church Lane, Nunthorpe, Middlesbrough TS7 0FD
Asset Register Number:	21062/003
Current Use:	Vacant residential dwelling & associated outbuildings
Valuation at Current Use (Asset Register)	£460,000
Reason for Disposal:	Proposed disposal of a farmhouse, yard & barns, set in a total area of 2.37 Acres [0.959 Hectares] at Nunthorpe Grange Farm. The subject property currently forms part of a much larger, now defunct, agricultural holding situated on Church Lane in the Nunthorpe Ward of Middlesbrough. Disposal, as proposed, will generate a significant capital receipt for the Council.
Latest Valuation (Proposed Disposal)	£470,000

Asset disposal stream (Please Select):

Generate Capital Receipt	✓
Stimulate Economic Activity	
Support Communities	

(In the event of more than one stream being relevant, please rank in order of importance – 1, 2 & 3)

Officer requesting disposal (Responsible Service Manager):

Name:	Richard Horniman
Position:	Director of Regeneration

Could the asset be disposed of for an alternative use that may give a higher capital receipt to the Council:

Yes		No	✓
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(To be completed by the Valuation & Estates Team)

If yes, please outline the potential use:

N/A

Estimated Value at Alternative Use	£ N/A
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Is the Council proposing to dispose of the asset at an undervalue:

Yes		No	✓
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(To be completed by the Valuation & Estates Team)

If yes, please outline the reasons why, and how, the proposed disposal will secure, promote or improve economic & social well-being:

N/A

Key factors to be considered when assessing potential disposals:

1.	A significant capital receipt would be generated
2.	Provision of recurring income [Business Rates & Council Tax] in perpetuity

Any additional financial factors to be considered other than immediate capital receipt:

The property forms part of a much larger agricultural land holding that was surrendered in April 2018.

Disposal of the subject property would generate a capital receipt for the Council, and also transfer away liability for the costs of holding and maintaining the same in the future.

Local Agents have advised that due to the condition of the property a disposal via Auction would be the best course of action – on the basis that such methodology is both open and competitive, ensures the best possible price in the market is payable, whilst also guaranteeing legal completion within 28 days.

Asset Not Needed by the Council - Approved to proceed:

Head of Asset Management:	(Yes) Tick	No (Tick)	Date:
<i>David Jamison</i>	✓		16/06/2021

Preferred method of marketing:

Formal/Informal Offers	
Private Treaty	
Auction	✓
Community Asset Transfer Process	

(To be completed by the Valuation & Estates Team prior to marketing)

Method for final approval:

Estimated Value:	Approval Required:	Authorised:	Date:
Up to £50,000	Valuation & Estates Manager		
Between £50,000 and £150,000	Director of Finance		
More than £150,000	Executive Committee	<i>David Valenti</i>	16/06/2021

(To be completed by the Valuation & Estates Team prior to marketing)

Impact Assessment Level 1 – Initial Screening Assessment

Subject of assessment:	Disposal of the Council's freehold interest in Nunthorpe Grange Farmhouse, Yard & Barns, Church Lane, Nunthorpe, Middlesbrough TS7 0FD			
Coverage:	Service specific			
This is a decision relating to:	<input type="checkbox"/> Strategy	<input type="checkbox"/> Policy	<input type="checkbox"/> Service	<input type="checkbox"/> Function
	<input type="checkbox"/> Process/procedure	<input type="checkbox"/> Programme	<input type="checkbox"/> Project	<input type="checkbox"/> Review
	<input type="checkbox"/> Organisational change	<input checked="" type="checkbox"/> Other (please state) Asset management		
It is a:	New approach:	<input checked="" type="checkbox"/>	Revision of an existing approach:	<input type="checkbox"/>
It is driven by:	Legislation:	<input type="checkbox"/>	Local or corporate requirements:	<input checked="" type="checkbox"/>
Description:	<p>Key aims, objectives and activities To assess the impact of the proposal to dispose of Council property deemed to be surplus to operational requirements.</p> <p>Statutory drivers (set out exact reference) The Local Government Act 1972 Section 123, as amended by the Local Government Planning and Land Act 1980 Section 118 Schedule 23 Part V.</p> <p>Differences from any previous approach The subject property has been unused since April 2018. There are no Council staff, or services that will be affected by the proposal. Future use of the property will limited to that of a residential dwelling with any other associated uses being subject to the statutory planning process.</p> <p>Key stakeholders and intended beneficiaries (internal and external as appropriate) The Council, buyer and the local community.</p> <p>Intended outcomes The proposed disposal of the subject property would:</p> <ul style="list-style-type: none"> • generate a significant capital receipt for the Council; • remove the Council's liability for future holding costs, transfer away responsibility for and maintenance of the property, and • help bring the subject property back into a far more positive future use. 			
Live date:	Tuesday 13 th July 2021			
Lifespan:	Not applicable.			
Date of next review:	Not applicable.			

Screening questions	Response			Evidence
	No	Yes	Uncertain	
<p>Human Rights</p> <p>Could the decision impact negatively on individual Human Rights as enshrined in UK legislation?*</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>It is considered that the disposal of the subject property will not impact negatively on individual human rights. The proposal represents a significant and positive enhancement for both the locality and the wider area, far outweighing the transfer of the property from the Council's Estate holding. This assessment has been made taking into account:</p> <ul style="list-style-type: none"> the fact that the property is vacant, and that no Council staff or services will be affected by the disposal as proposed;
<p>Equality</p> <p>Could the decision result in adverse differential impacts on groups or individuals with characteristics protected in UK equality law? Could the decision impact differently on other commonly disadvantaged groups?*</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The Council has a duty to consider the impact of the proposed decision on relevant protected characteristics, to ensure it has due regard to the public sector equality duty. Therefore, in the process of taking decisions, the duty requires the Council to have due regard to the need to:</p> <ol style="list-style-type: none"> eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. <p>Consideration of this duty has shaped the proposals.</p> <p>The property is vacant and fulfils no specific function, purpose or service. In accordance with this position, access to and delivery of Council services will not be affected by the proposed disposal.</p> <p>It is considered that the proposal will not have a disproportionate adverse impact on a group, or individuals, because they hold a protected characteristic.</p> <p>Evidence used to inform this assessment includes engagement to date with relevant Council departmental teams and the proposed purchaser, together with analysis of the terms and conditions that will be incorporated within the proposed sale.</p>

*Consult the Impact Assessment further guidance appendix for details on the issues covered by each of these broad questions prior to completion.

<p>Community cohesion Could the decision impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town?*</p>	☒	☐	☐	<p>There are no concerns that the proposal could have an adverse impact on community cohesion.</p> <p>Evidence used to inform this impact assessment includes the potential for bringing this property back into a far more beneficial future use than that being provided under the current ownership and management arrangement.</p>
<p>The Mayor's Vision For Middlesbrough Could the decision impact negatively on the achievement of the vision for Middlesbrough?*</p>	☒	☐	☐	<p>The proposed disposal aligns with the Mayor's priorities around people, place & business by working in conjunction with third party organisations and individuals, such as the Buyer, to deliver both physical and social regeneration.</p>
<p>Organisational management / Change Programme Could the decision impact negatively on organisational management or the transformation of the Council's services as set out in its Change Programme?*</p>	☒	☐	☐	<p>No tangible relationship between the disposal of the property and the organisational management of the Council, or the transformation of its services (as set out in its Change programme), have been identified.</p>
<p>Next steps:</p> <ul style="list-style-type: none"> ➤ If the answer to all of the above screening questions is No then the process is completed. ➤ If the answer of any of the questions is Yes or Uncertain, then a Level 2 Full Impact Assessment must be completed. 				

Assessment completed by:	David Velemir	Head of Service:	Louise Grabham
Date:	19/05/2021	Date:	19/05/2021

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