

EXECUTIVE

Date: Tuesday 18th April, 2023
Time: 1.00 pm
Venue: Mandela Room

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Overview and Scrutiny Board - Call In Referral 3 - 6
4. 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
Thursday 6 April 2023

MEMBERSHIP

Mayor A Preston (Chair) Councillors B Cooper, D Coupe, TA Grainge, S Hill, L Mason, E Polano, M Smiles and S Walker

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Chris Lunn / Scott Bonner, 01642 729742 / 01642 729708, chris_lunn@middlesbrough.gov.uk / scott_bonner@middlesbrough.gov.uk

This page is intentionally left blank

MIDDLESBROUGH COUNCIL	
------------------------------	--

Report of:	Chair of the Overview and Scrutiny Board
-------------------	--

Submitted to:	Executive
----------------------	-----------

Date:	18 April 2023
--------------	---------------

Title:	OSB Call-In Referral of <i>Developing a New Nunthorpe Community Facility</i> made by Executive on 7 March 2023.
---------------	---

Report for:	Decision
--------------------	----------

Status:	Public
----------------	--------

Strategic priority:	All
----------------------------	-----

Key decision:	No
----------------------	----

Why:	Not Applicable
-------------	----------------

Urgent:	No
----------------	----

Why:	Not Applicable
-------------	----------------

Executive summary
<p>This report provides recommendations to Executive following the OSB Call-In of 31 March 2023 and its decision to refer the decision of 7 March 2023 (Developing a New Nunthorpe Community Facility) back to Executive. As per the Council's Scrutiny Call-In protocol, should Executive choose not to implement the recommendations contained in this report full written reasons should be provided to OSB.</p>

Purpose

1. This report provides recommendations to Executive following the Overview and Scrutiny Board (OSB) Call-In meeting of 31 March 2023 and its decision to refer Executive's decision of 7 March 2023 (*Developing a New Nunthorpe Community Facility*) back to Executive.
2. As per the Council's Scrutiny Call-In protocol, should Executive choose not to implement the recommendations contained in this report full written reasons should be provided to OSB.

Background and relevant information

3. OSB feels the decision taken on the 7 March 2023 by Executive needs to be reconsidered due to the reasons cited during the Call-In meeting of 31 March 2023. OSB Call-In Protocol (section 5.3) states a Call-In can be used where:

there has been inadequate consultation with stakeholders prior to the decision being made.

4. As such OSB felt the consultation process carried out with Nunthorpe residents lacked consistency, especially between its physical and online variants. It also felt the consultation process appeared to be ambiguous in its approach, especially in relation to the consultation being a vote or a gathering of opinions.
5. OSB also felt the report presented to Executive on the 7 March only illustrated the recommended site (land adjacent GP surgery) and should have also included the alternative site at Nunthorpe playing fields.
6. As part of their referral, OSB proposed the following recommendations to assist the Executive. The inclusion of such information would make the decision-making process more robust and transparent:
 - a. Greater clarity should be provided around the consultation process, especially in relation to preference for a particular site or a gathering of views.
 - b. The report should include information relating to the alternative site other than that being recommended.

What decision(s) are being recommended?

That the Executive:

- Consider the recommendations from Overview and Scrutiny Board OSB following the of 31 March 2023.

Rationale for the recommended decision(s)

7. Following the meeting of OSB on 31 March 2023, it was decided the Executive decision (*Developing a New Nunthorpe Community Facility*) should be referred back to the Executive for further consideration.

8. As per the Council's Scrutiny Protocol the Executive is required to have regard of any recommendations made as part of a Call-In meeting.

Other potential decision(s) and why these have not been recommended

9. Not Applicable

Impact(s) of the recommended decision(s)

Legal

10. Not Applicable

Strategic priorities and risks

11. Not Applicable

Human Rights, Equality and Data Protection

12. Not Applicable

Financial

13. Not Applicable

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline

Appendices

1	
2	
3	

Background papers

Body	Report title	Date
Executive	Executive Report (Developing a New Nunthorpe Community Facility)	7 March 2023
Middlesbrough Council Constitution	Call In Protocol	5 April 2023

Contact: Scott Bonner

Email: scott_bonner@middlesbrough.gov.uk