

REGENERATION SCRUTINY PANEL

Date: Wednesday 6th September, 2023
Time: 10.00 am
Venue: Spencer Room

AGENDA

1. Welcome and Evacuation Procedure
2. Apologies for Absence
3. Declarations of Interest
To receive any declarations of interest.
4. Minutes - Regeneration Scrutiny Panel - 19 July 2023 3 - 6
5. Local Plan 7 - 16
The Head of Planning will be in attendance to update Panel Members on Middlesbrough's new Local Plan.
Recommendation: for the Panel to receive and note the information provided.
6. Setting the Scrutiny Panel's Work Programme 2023-2024 17 - 24
Recommendation: Panel selects topics for the Scrutiny Panel's Work Programme 2023-2024 for submission to the Overview and Scrutiny Board for approval.
7. Overview and Scrutiny Board Update
The Chair will provide a verbal update on matters considered at the meeting of the Overview and Scrutiny Board held on 26 July 2023.

8. 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
29 August 2023

MEMBERSHIP

Councillors I Blades (Chair), N Hussain (Vice-Chair), J Ewan, S Hill, L Hurst, D Jackson, J Kabuye, I Morrish and J Ryles

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Susan Lightwing, 01642 729712, susan_lightwing@middlesbrough.gov.uk

REGENERATION SCRUTINY PANEL

A meeting of the Regeneration Scrutiny Panel was held on Wednesday 19 July 2023.

PRESENT: Councillors I Blades (Chair), N Hussain (Vice-Chair), J Ewan, L Hurst, D Jackson, J Kabuye, I Morrish and J Ryles

OFFICERS: R Horniman and S Lightwing

APOLOGIES FOR ABSENCE: were submitted on behalf of Councillor S Hill

23/1 **DECLARATIONS OF INTEREST**

There were no declarations of interest received at this point in the meeting.

23/2 **MINUTES - ECONOMIC DEVELOPMENT, ENVIRONMENT AND INFRASTRUCTURE SCRUTINY PANEL - 22 MARCH 2023**

The minutes of the Economic Development, Environment and Infrastructure Scrutiny Panel meeting held on 22 March 2023 were received and noted.

23/3 **OVERVIEW OF REGENERATION DIRECTORATE**

The Director of Regeneration provided an overview of the Directorate which was focussed on the economic health of the town and comprised Heads of Service for the following areas: Economic Growth, Development, Planning, Marketing and Communications, Valuation and Estates, Creative Programmes and Partnerships, Community Learning and Employability, and Sport and Client Relationship.

Economic Growth focussed on enabling the town to grow sustainably, encompassing the town centre, economy and business. This service area developed bids for project funding and worked with the Department for Levelling Up, Housing and Communities. Reports and presentations for Executive and Scrutiny also formed part of the remit.

Development concentrated on the front-end bidding and relationships with other organisations such as the Tees Advanced Manufacturing Park and Centre Square One and Two. Development also worked on the preparation of housing sites for sale. If the Council owned land that was an allocated site, Officers would be involved in the planning permission, masterplan and ensuring the land was developed properly. Design Services were also part of that team.

The Planning Service dealt with planning applications, building control and the Local Plan. Planning applications were assessed and either decided by Officers or taken to Committee for a decision. Building Control was a statutory function of the Council, although residents generally used private companies.

Culture managed various venues and developed the culture sector in Middlesbrough. Venues included the Town Hall, Dorman Museum, Newham Hall Farm and the Little Theatre. The service undertook outreach work with school and also liaised with the Arts Council. A £5 million development of Central Library was currently underway. At the present time, there was no Head of Service in post and the Head of Growth had taken responsibility.

Marketing and Communications promoted the Council and the Town via the Council website, press releases, internal staff communications and the Love Middlesbrough magazine.

Community Learning made provision for adults and children who were not in mainstream education settings and was based in the Multi Media Centre. There were also bases at Lingfield Farm and the Acklam Green Centre.

Valuation and Estates was the Council's property function for buying and selling. It was responsible for all Council owned buildings, including its commercial portfolio and their

maintenance. The Council had a long lease on Centre Square 1 and 2, and owned industrial units at Cannon Park, two shopping centres and Tees Amp. The commercial properties generated income for the Council but some were in poor repair and this would be a challenge going forward.

Whilst the Council supported the business community to thrive it did not provide business support generally. There were two officers with responsibility for the town centre to help businesses work together and provide support to key sectors including digital and advanced manufacturing. One individual worked in Boho to help the digital cluster develop.

The Council also built new commercial space and managed existing buildings. New building would likely be limited in future because the Mayoral Development Corporation would be taking on that responsibility. The Council still needed to provide new opportunities for houses to develop so that the town could grow. The Council would do the site preparation for Council owned sites and then go to the private sector for volume building.

Whilst the Middlesbrough Development Company (MDC) had completed two developments – at Middlehaven and Tollesby – it was due to be wound up. The way the MDC was set up was no longer fit for purpose although there was potential for another similar housing company to be established.

The Council controlled development to protect the town's future to ensure the population continued to grow.

The Council also provided cultural opportunities and focussed a lot of activity through the various venues. Big events were increasingly more difficult to provide due to budget constraints. However, the Orange Pip market remained one of the events still funded by the Council. The Council would still hire out spaces and venues and help others promote their events.

Sport and Leisure provision was managed by one Officer via a contract with Active Leisure. All sports venues and pitches were managed through the contract.

Regeneration had a direct impact on the Council by generating more Council Tax and Business Rates income through house and commercial building. Income was also derived from commercial lettings and sales.

One area where the Council received a lot of complaints was planning enforcement. An enforcement complaint could take months to address and there was an issue with recruiting and retaining Building Control Officers. Recruitment of Building Control Officers was a national issue. At any one time the Council could be dealing with around 300 enforcement complaints and the number that were resolved was quite low. Cases were prioritised on the basis of how many people they were affecting in the most significant way.

Responding to a query regarding reinvestment into property resources, the priority for repairs had traditionally been the Council buildings. The commercially properties had not been well maintained so when they deteriorated or needed new investment they had been sold. An asset review was currently being undertaken by the Council.

Middlesbrough Council had done a lot of town centre development but as it held the financial risk on buildings such as Centre 1 and 2, it was not able to borrow money to do more. The Council gained more from owning the buildings and having the income than it would from selling them. The Mayoral Development Corporation (MDC) would be able to do those things that the Council could no longer afford to do.

A Member asked whether there was any concern that the MDC would redevelop and then hand properties back to the Council to maintain. It was suggested that MDC were more likely to do developments that were in private rather than public ownership.

The Chair thanked the Director of Regeneration for attending the meeting and providing the overview. The Democratic Services Officer outlined the next steps for the Panel to agree the Work Programme 2023-2024.

AGREED that the information provided was received and noted.

23/4 **PROPOSED SCHEDULE OF MEETINGS 2023-2024**

A proposed schedule of meeting dates for the Regeneration Scrutiny Panel for the 2023-2024 Municipal Year was submitted for the Panel's consideration.

AGREED that the proposed meeting dates for 2023-2024 were approved.

23/5 **ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.**

None.

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Middlesbrough Local Plan

Regeneration Scrutiny Panel

Paul Clarke
Head of Planning
6th September 2023

Planning System

Legislation

National Planning Policy

Planning Practice
Guidance

Local Plan

Supplementary
Planning Documents

Neighbourhood
Plans

Development
Guidance

Statutory
Development
Plan

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What is a Local Plan ?

- Statutory duty to prepare a Local Plan
 - Council's policy on how development should take place
 - Cover a period of 15+ years
- They provide a policy framework for making decisions on planning applications
- They are strategic
 - Make sufficient land available for development to deliver the needs and priorities of an area
 - Take into account other Council plans and strategies
 - Seek to achieve a vision of what place should be like in the future
 - Provide certainty for investors/developers (de-risk) & residents

Why are Local Plans important?

- Plan-led system
- Local Plans are primary consideration when determining planning applications

Determination must be made in accordance with the plan unless material considerations indicate otherwise

[Section 38, Planning and Compulsory Purchase Act 2004]

Context for preparing the Local Plan – National policy

- Policy framework
 - National Planning Policy Framework (NPPF)
 - National Policy Statements
 - Specialist policy such as Gypsy and Traveller guidance
 - Planning Practice Guidance
- Key points
 - National Policy sets the framework for preparing local plans
 - Also includes development control considerations
 - Generally pro-growth and pro-development

Context for preparing the Local Plan – Local policy

- Council strategic plan
- Council strategies
 - Transport
 - Economic Growth
 - Housing
 - Others ..

What is the Middlesbrough Development Plan?

- Housing Local Plan 2014
- Minerals and Waste 2011
- Regeneration DPD 2009
- Core Strategy 2008
- Middlesbrough Local Plan 1999

- Marton West Neighbourhood Plan 2021
- Stainton & Thornton Neighbourhood Plan 2022
- ..

Process for preparing/reviewing the Local Plan

- Tight controls on how local plans must be prepared
 - Legislation
 - National Planning Policy
- Significant levels of public engagement and consultation
- Robust and credible evidence base
- Sustainability Appraisal
- Duty to Cooperate
- Independent Examination
- Non-Executive decision for the Council

Timetable for reviewing the Local Plan

- Scoping/Issues & Options Dec 2022
- Preferred Options (non-statutory) Nov/Dec 2023
- Publication June 2024
- Submission Sept 2024
- Examination Sept 2024 – Jan 2025
 - Soundness & Legal Compliance
- Adoption April 2025

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MIDDLESBROUGH COUNCIL

REGENERATION SCRUTINY PANEL

<p style="text-align: center;">Setting the Scrutiny Panel's Work Programme 2023-2024</p>

6 SEPTEMBER 2023

PURPOSE OF THE REPORT

1. To invite the Regeneration Scrutiny Panel to consider its work programme for the 2023-2024 Municipal Year.

REVIEW OF 2022-2023

2. At a meeting of the Overview and Scrutiny Board held on 18 April 2023, a new structure for scrutiny arrangements in Middlesbrough was agreed. As a consequence, the Regeneration Scrutiny Panel is a new Panel for this year. Relevant topics considered by the former Economic Development, Environment and Infrastructure Scrutiny Panel in 2022-2023 are listed below for Members' information:

Updates

- Middlesbrough Mayoral Development Corporation.
- Town Centre Strategy – Update on Future High Streets/Towns Fund.
- Enforcement of Planning Conditions.
- Local Plan – Update.
- Nutrient Neutrality.
- Linthorpe Road Cycle Lane.

- Business Rates Pooling.
The Economic Development, Environment and Regeneration Scrutiny Panel has considered this topic on two occasions to date, in January and March 2023. Middlesbrough Council's Head of Finance and Investment provided an overview of business rates pooling and the Deputy Chief Financial Officer, Leeds City Council gave a presentation in relation to Leeds City Council's participation in Business Rates Pooling. Terms of Reference for the scrutiny have not been determined.

BACKGROUND

- 3. At the start of every Municipal Year, scrutiny panels discuss the topics that they would like to review during the coming year.
- 4. Work programmes are useful as they provide some structure to a scrutiny panel’s activity and allow for the effective planning and preparation of work.
- 5. As part of the process for establishing the work programme, support officers gather information/views from a number of sources. Below is a list of topics which are anticipated to be of particular interest to the scrutiny panel. Members are advised that the list of possible topics is not exhaustive and that additional topics can be added and considered at the scrutiny panel meeting. Priorities from the Strategic Work Plan 2021-2024 are also listed below for information.

Topical issues

Topic	Details
<p>Planning Capacity</p>	<p><i>The role of planning is essential for the building of the homes, infrastructure, and places needed for the benefit of all our communities.</i>¹</p> <p>Capacity to deal with increasing numbers of planning applications, enforcement cases and housing expansion is impacting on the Council’s Planning Service and recruitment and retention of qualified planning officers is a challenge. Middlesbrough Council is also currently undertaking planning functions on behalf of the Mayoral Development Corporation (MDC).</p> <p>The Department for Levelling Up, Housing and Communities has recently published details on a new capacity and capability programme to support local planning authorities to attract, retain and develop skilled planners.</p> <p>The Scrutiny Panel may wish to explore alternative planning delivery models to help address these issues.</p>
<p>Middlesbrough Local Plan - Community Engagement</p>	<p>The Council is required to have a Local Plan which sets out a vision and a framework for the future development of Middlesbrough. Middlesbrough is aiming to have its new Local Plan adopted by 2025.</p> <p>Middlesbrough Local Plan Scoping Report published in November 2022 specifies that:</p> <p><i>The Council has adopted a Statement of Community Involvement that sets out the standards and expectations</i></p>

¹ <https://www.gov.uk/guidance/building-planning-capacity-and-capability>

	<p><i>for undertaking community engagement when preparing the Local Plan, and for other planning processes (such as dealing with planning applications). The Council is committed to undertaking full and meaningful engagement with our communities throughout the preparation of the Local Plan.</i></p> <p><i>For each stage of the plan making process, a bespoke consultation and communications plan will be prepared that will set out how the consultation will be undertaken. The specific techniques will vary, and the Council will endeavour to ensure they are appropriate for full and meaningful community engagement. For every consultation, the relevant documents will be made available for inspection in person and online. The Council will ask for comments or representations to be made in writing, and a report of consultation that summarises what has been said alongside the Council's response will be prepared.²</i></p> <p>The Scrutiny Panel may wish to consider ways in which community engagement in the preparation of the Local Plan can be improved.</p>
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Suggestions

Suggestion	Details
Housing	<p><i>Suggestion from a Councillor:</i></p> <p>Middlesbrough Council to build and refurbish houses.</p>
Housing Association Properties	<p><i>Suggestion from a Councillor:</i></p> <p>Housing association properties - the number, the condition and the role housing associations have in estates it operates in - so not only their properties, but the whole areas it has substantial amount of homes in.</p>
Parking Enforcement	<p><i>Suggestion from a Member of the Public:</i></p> <p>I'm a bus driver and I'm constantly being delayed by double parking on Linthorpe Road. Vans parking on hatched lines. There are cars that park constantly day after day on double yellow lines. No tickets are ever issued. No parking wardens are ever out and about.</p>
Events	<p><i>Suggestion from Deputy Mayor and Executive Member for Education and Culture:</i></p> <p>Look at the financial cost to the council of removing the events</p>

² Middlesbrough Local Plan Scoping Report- November 2022

	<p>budget. I would like to know how much more removing the budget has cost the council in lost revenue and events.</p>
Museums	<p><i>Suggestion from Deputy Mayor and Executive Member for Education and Culture:</i></p> <p>How much money have the museums brought into the town and how can this be strengthened/improved on?</p>
Play Equipment in Parks	<p><i>Suggestion from Deputy Mayor and Executive Member for Education and Culture:</i></p> <p>What are the barriers in terms of play park repairs and renovations and how can these barriers be removed so that our play parks are usable and safe and repairs carried out in a timely fashion?</p>
Poverty Strategy	<p><i>Suggestion from Executive Deputy Mayor and Executive Member for Education and Culture:</i></p> <p>As we are forming a strategy to tackle poverty across the town, I would like scrutiny to have a direct involvement in shaping the policy. Would it be at all possible for scrutiny panels to investigate their issues with the aim to see how they impact levels of poverty across the town?</p> <p><i>The Executive is developing a strategy to tackle poverty across the town and would like scrutiny to have a direct involvement in shaping the policy. The panel may wish to obtain further details on the draft policy and consider how issues within regeneration might impact levels of poverty across the town.</i></p>
Local Plan	<p><i>Suggestion from Executive Member for Regeneration:</i></p> <p>Have a local Plan in place by mid-way through the 4 year term.</p>
Tees AMP 2	<p><i>Suggestion from Executive Member for Regeneration:</i></p> <p>Bring forward Tees AMP 2.</p>
Pedestrian/Cycling Infrastructure	<p><i>Suggestion from Executive Member for Regeneration:</i></p> <p>Improve pedestrian/cycle networks through the council area.</p>
Low Traffic Neighbourhoods	<p><i>Suggestion from Executive Member for Regeneration:</i></p> <p>Introduce Low Traffic Neighbourhoods with consultation with the local residents.</p>
Housing Provision	<p><i>Suggestion from Executive Member for Regeneration:</i></p> <p>Increase the number of homes provided for single occupancy to</p>

	allow people to move so they don't under occupy homes.
Culture and Tourism	<i>Suggestion from Head of Economic Growth and Infrastructure:</i> The Tees Valley Investment in Culture and Tourism and how Middlesbrough Council can align/capitalise on the funding available.
Cultural Capital Investment Prospectus	<i>Suggestion from Head of Economic Growth and Infrastructure:</i> Cultural Capital Investment Prospectus.
Library	<i>Suggestion from Head of Economic Growth and Infrastructure:</i> The library project.
Cultural Partnership	<i>Suggestion from Head of Economic Growth and Infrastructure:</i> The role and work of the cultural partnership.

Updates

Electric Vehicle Charging Points	<p>In October 2021, during a scrutiny investigation on Middlesbrough Council's Green Strategy, the Economic Development, Environment and Regeneration Scrutiny Panel received a presentation from the Tees Valley Combined Authority (TVCA) on the Electric Vehicle Charging Infrastructure Project.</p> <p>At that meeting it was envisaged that Phase 1 of the Tees Valley EVCP network would be operational by Summer 2023. The Regeneration Panel may wish to receive an update on the Project.</p>
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Strategic Plan Workplan 2021-24

<p>Priority: Physical Environment Supports the following aim(s): People and Place Description: We will work closely with local communities to protect our green spaces and make sure that our roads, streets and open spaces are well-designed, clean and safe.</p>
<p>Priority: Town Centre Supports the following aim(s): People, Place and Business Description: We will transform our town centre, improving accessibility, revitalising unused assets, developing iconic spaces and building more town centre homes.</p>
<p>Priority: Culture Supports the following aim(s): People, Place and Business Description: We will invest in our existing cultural assets, create new spaces and events and improve access to culture.</p>

6. It should be noted that the topics and updates outlined above are suggestions. The content of the scrutiny panel's work programme is entirely a decision for the panel to make. When considering the work programme, the panel is advised to select topics that are of interest to it, as well as topics that the panel feels by considering, could add value to the Local Authority's work.
7. In addition to undertaking the agreed work programme, scrutiny panels have also previously responded on an ad-hoc basis to emerging issues - such as considering relevant new legislation, guidance or Government consultation documents. This approach occasionally results in further topics being identified for investigation or review throughout the year.
8. On occasion ad-hoc scrutiny panels may also be established throughout the year to undertake additional investigations, for example to examine areas of work which overlap more than one scrutiny panel.
9. The scrutiny panel is also advised that, under the terms of the Local Government Act 2000, local authorities have a responsibility of community leadership and a power to secure the effective promotion of community well-being. Therefore, in addition to the scrutiny panel's generally recognised powers (of holding the Executive to account, reviewing service provision, developing policy, considering budget plans and performance and financial monitoring), panels also have the power to consider **any** matters which are not the responsibility of the Council but which affect the local authority **or** the inhabitants of its area. For example, nationally, local authorities have undertaken scrutiny work on issues such as post office closures, rural bus services, policing matters and flood defence schemes.

Scrutiny work plan prioritisation aid

10. Members are asked to use the aid attached at Appendix 1 to prioritise issues where scrutiny can make an impact, add value or contribute to policy development in order to determine which topics are suitable for inclusion in its final work programme.

PURPOSE OF THE MEETING

11. The scrutiny panel is asked to consider its work programme for the 2023-2024 municipal year. Further information can be requested from relevant officers if required, for example with regard to timely scheduling.
12. When considering its work programme, the scrutiny panel is asked to ensure that topics agreed for inclusion:
 - Affect a group of people living within the Middlesbrough area.
 - Relate to a service, event or issue in which the Council has a significant stake or over which the Council has an influence.
 - Are not issues which the Overview and Scrutiny Board or the scrutiny panels have considered during the last 12 months.
 - Do not relate to an individual service complaint.

- Do not relate to matters dealt with by another Council Committee, unless the issue deals with procedure.
13. It is suggested that the scrutiny panel has a mixture of working styles in its programme. This can include detailed and in-depth reviews, shorter topics, or one-off investigations.

RECOMMENDATION

14. That, by utilising the Scrutiny Work Plan Prioritisation Aid (see Appendix 1), the Scrutiny Panel identifies two topics it would like to include in its work programme for 2023/24, for submission to Overview and Scrutiny Board for consideration/approval.

BACKGROUND PAPERS

15. Within the report, reference is made to:
- Economic Development, Environment and Regeneration Scrutiny Panel – minutes of meetings held 18 January and 22 March 2023.
 - Department for Levelling Up, Housing and Communities – Guidance on Building Planning Capacity and Capability, published 24 July 2023.
 - Middlesbrough Local Plan Scoping Report – November 2022.
 - Electric Vehicle Charging Infrastructure Project – Tees Valley Combined Authority (TVCA).

Contact Officer

Susan Lightwing

Democratic Services Officer

Tel: 01642 729712

Email: susan_lightwing@middlesbrough.gov.uk

