

PLACE SCRUTINY PANEL

A meeting of the Place Scrutiny Panel was held on Monday 2 September 2024.

PRESENT: Councillors D Branson (Chair), J Ewan, D Jackson, J Kabuye, T Livingstone and L Young

OFFICERS: C Cowley, G Field, R Horniman, S Lightwing and J McNally

APOLOGIES FOR ABSENCE: were submitted on behalf of Councillors J Banks, J Cooke, C Cooper, N Hussain, and A Romaine.

24/10 **WELCOME AND FIRE EVACUATION PROCEDURE**

The Chair welcomed all present to the meeting and read out the Fire Evacuation Procedure.

24/11 **MINUTE'S SILENCE**

At the request of the Chair, all present stood and marked one minute's silence to reflect on the sad passing of Councillor Jeanette Walker.

24/12 **DECLARATIONS OF INTEREST**

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

24/13 **MINUTES - PLACE SCRUTINY PANEL - 29 JULY 2024**

The minutes of the Place Scrutiny Panel meeting held on 29 July 2024 were submitted and approved as a correct record.

24/14 **HOME TO SCHOOL TRANSPORT - SCRUTINY REVIEW**

The Director of Environment and Commercial Services and the Transport and Infrastructure Manager provided an overview of Middlesbrough Council's Home to School Transport provision.

It was highlighted that the increased need for home to school travel assistance was a national issue, with several factors contributing including increases in the number of pupils with special education needs and the numbers requiring an Education Health and Care Plan (EHCP).

Middlesbrough Council's Home to School Travel Assistance Policy was informed by the Education Act 1996 and additional duties required by the Education and Inspections Act 2006. The Policy had been updated and published ahead of the new academic year 2024-2025. National guidance, updated by the Department for Education (DfE) in June 2023, set out the expectations of Local Authorities (LAs) regarding home to school travel and transport arrangements. The guidance set out the circumstances in which the LA had a duty to provide, or arrange, free school transport or travel support for children of compulsory school age.

Eligibility criteria for pupils of compulsory school age during the current academic year included:

- A primary school age pupil attending their nearest suitable school and that was over 2 miles from the home address, where the distance was determined by the Council and used the shortest walking distance along which a child, accompanied as necessary, might walk with reasonable safety.
- A secondary school age pupil attending the nearest suitable school and that was over 3 miles from the home address, where the distance was determined by the Council and used the shortest walking distance along which a child, accompanied as necessary, might walk with reasonable safety.
- A secondary school age pupil from a low-income family and attending: any one of their three nearest suitable schools and the school was between 2 and 6 miles away from their home address, or the nearest school preferred by their parents on the

grounds of religion or belief and the school was between 2 and 15 miles away from their home address.

The eligibility criteria, application forms, Frequently Asked Questions (FAQs) and parent/carer information was available on Middlesbrough Council's website on the Home to School Transport page: <https://www.middlesbrough.gov.uk/schools-and-education/home-to-school-transport/>

Education and Inspection Act (EIA) applications could be submitted by the parent and/or carer of the student.

Transport requirements were considered as part of a full assessment of a student's special educational need. If a student was assessed as unable to walk the statutory distance to their nearest appropriate school because of their special educational needs or disability, even if accompanied by a responsible adult, the Council would provide travel assistance which was subject to a statutory assessment or subsequent annual review.

Eligibility was assessed at the earliest opportunity. SEND student applications were initially raised during a SEND Resource Panel which linked with a student's Education Health and Care Plan (EHCP). A more detailed assessment was carried out once a referral had been received by the transport team.

When considering any placement for a pupil, colleagues were reminded of the principle that it was the family's responsibility to take their own child to school. However, there are exceptional circumstances as to why a student who was not eligible, may need travel support and these cases were assessed on an individual basis. Where a student was assessed as being eligible for support, a hierarchy of travel assistance was made and the parent/carer might be asked how they intended to get their child to school. Other offers could include:

- Travel training, walking bus, use of existing resources where available.
- 45p per mile as Parental Travel Allowance (PTA).
- Transport for a limited period to give parents time to arrange their own transport with a refund of fuel or other costs to be made.
- Full time transport up to Year 8 Assessment when the offer may be amended to meet the relevant needs of the student (if available).
- Refund of bus fares or seat on a designated bus.
- Multiple modes of transport, for example, use of a bicycle in Spring/Summer terms and refund of bus fares to use on public bus services in the Winter months.

The Council was also required to secure alternative provision for students who had been permanently excluded from a school or other education provider. This might entitle the student to free transport or travel assistance to an approved alternative provider.

Applications for travel assistance were assessed in accordance with the Home to School Travel and Transport Policy for mainstream and special schools if the student had an Education Health and Care Plan (EHCP). It was expected that assistance would be on a temporary basis until such a time as the child was re-integrated into mainstream or special school and would be subject to review.

During 2023-2024 the Council provided various types of travel assistance that equated to over 600,000 journeys. This was delivered through a combination of in-house and external suppliers and vehicles using minibuses, wheelchair accessible vehicles, taxis and coaches. Travel training was provided for both walking and the use of public transport services. Payments were made to parents and carers and assistance provided with journey planning and other support in the form assistance and direct delivery in partnership with schools.

Whilst there was no statutory duty to provide Adult Social Care Transport, the Council's Integrated Transport Unit (ITU) did provide a service in line with requirements under the Care Act 2014. Draft Demand and Sufficiency Plans had highlighted a potential increase from 70 transports per day across 6 settings, to approximately 610 transports across 160 settings. The increased demand for transport support was not new to the Authority, however it was new to the Integrated Transport Unit and would be a significant increase in workstream tasks for the team.

Statistics in relation to the number of staff, assessments undertaken and tendered routes were included in the presentation.

Sufficiency planning and transformation was being undertaken across all relevant Council departments to ensure that the ITU was able to meet any increasing demand. This ensured the following:

- Demand data from SEND/Education/Children's Services had undergone a comprehensive Quality Assurance (QA) process.
- Transformation across the service was co-ordinated.
- Policies and working practices were streamlined and robustly followed.
- Eligibility was assessed at the earliest opportunity to aid continuity of all relevant services including Education and Adult Social Care.
- Capital and Revenue Investments could be made in a timely manner.
- Medium Term Financial Plan (MTFP) projections were based on validated information to ensure robust financial planning.

It was a national misconception that Councils provided free transport for all which was not the case. However, the Director emphasised the point that if transport assistance was required, the Council would provide it.

Some of the challenges for the ITU were identified as:

- Increasing number of children with complex educational and medical needs with an EHCP aged between 5-25 in both Middlesbrough and out of area.
- Sufficiency of localised placements for both Mainstream and SEND.
- Evolving pressures within 2024/25 Budget of £6,644,770.
- Managing expectations.
- Managing a large workforce.
- Availability of Drivers with D1 entitlement.
- Availability of suppliers with vehicles in the private sector.
- Economic climate and increasing costs.
- Supply and maintenance of internal fleet.
- The Procurement Act – Implementation date of 28 October 2024.

In order to meet the challenges and the demands on the service, the following actions were being taken:

- Commenced delivery of 2024/25 service.
- Continuous engagement with all stakeholders to outline further improvements that could be achieved.
- Continue to build on successful relationship with Parents4Change forum.
- Develop and grow relationships with internal colleagues in People Services and Health.
- Engagement with other services to achieve their aims and co-production with service users and their families; developing confidence and reassurance in accessing the appropriate level of support and inclusion in the Travel Training Programme.
- Sufficiency planning – working continuously with colleagues across Education and Finance for demand planning; which influenced the MTFP.
- Explore new methods of working such as further integration of ICT into the service or seeking invisible benefits for the student and school such as child welfare checks and improved attendance.

In relation to a query regarding transport to faith schools it was confirmed that although there were discretionary powers available to the Local Authority in this regard, the Council currently operated only 11-16 statutory provision. Clarification was requested on another scenario: where a parent might choose a faith school for their child due to believing the school achieved better results, rather than on faith or belief. It was confirmed that in such a case a thorough assessment would be carried out. There was an appeals process. The definition of a low-income family to meet the eligibility criteria for school transport was a family in receipt of free school meals or working tax credits.

A Member asked how many students were currently being educated outside of the Borough.

It was agreed this information would be forwarded to the Panel. However, it was highlighted that the numbers were decreasing year on year as new schools and extension were being built to increase school place capacity in Middlesbrough. There would always be some requirement for specialist schools and efforts were being made to reduce those numbers also.

The Chair raised concern as to the current budget and asked how many students were transported via private sector providers rather than in-house and by how much the budget had increased over the last five years. The Director stated that information would be provided and also commented that there were two elements relating to the increased budget: one was the number of people being transported and the second was inflation. It was a constant effort to ensure that the Council was doing all it could to provide transport in very competitive market. Neighbouring authorities in the Tees Valley and throughout the north east were experiencing similar difficulties in recruiting staff. Another issue was the lead in time for the supply of new vehicles as well as the availability of suitably qualified drivers. Traditionally the Council had used a significant number of private taxis to meet transport needs. However, following the Covid Pandemic, the market had changed considerably. Some suppliers had withdrawn from the market and the emerging delivery economy meant that drivers had different opportunities.

The Chair thanked the officers for their presentation.

AGREED that the information provided was received and noted.

24/15

EMPTY PROPERTIES - SCRUTINY REVIEW

The Director of Regeneration gave a presentation in relation to Empty Properties in Middlesbrough.

Middlesbrough currently had approximately 2000 empty homes some of which were causing issues. Properties that had been empty for longer than six months diminished local housing needs and could have a severe impact on neighbourhoods. These homes could attract anti-social behaviour, increased crime rates and decrease local property values and outside investment opportunities.

Substantial areas of the town had high residential voids, low sale values and high population churn, which created potential market failure - resulting in social consequences and implications for Council resources and service delivery. This situation was unsustainable and resulted in the need for significant market intervention at great cost to the Council. Tackling empty homes in Middlesbrough and bringing them back into use would positively impact on residents, including the homeless, children leaving care, and families in need of accommodation, or temporary accommodation, as well as the wider community, for whom empty properties often caused problems.

Middlesbrough Council had implemented the following actions to date:

- **Empty Homes Strategy**
The strategy, which was subject to review, was designed to target and address empty homes in Middlesbrough. It was being considered alongside homeless and temporary accommodation needs.
- **Problem Property Action Plan**
The aim of the plan was to better unify and co-ordinate Middlesbrough Council's cross-directorate and partner agency problem property interventions, bridge gaps and embed the actions and assess and address the issues across Middlesbrough's problem properties, streets and gardens aligning with the new Empty Homes Strategy.
- **Questionnaire**
The aim was to ascertain why properties were empty and sign post to other services or inform residents of available funding options and/or assist with repair work to bring them back into use. The Council could also draw down on cross directorate enforcement powers and track premiums. The results of the questionnaire would be evaluated.

- Pilot - North Ormesby
All streets had been reviewed and problem properties that were detrimental to the area had been identified – all of which were empty. Properties had been flagged and reported through the AIM meeting. Information held on the council tax database was also checked for accuracy.
- Introduced Completion Notices – April 2024
Forced owners to undertake the work to bring their property into the rating list.
- Cross Directorate Approach
 - Consultation process with stakeholders and partners took place monthly.
 - A communications Management Matrix.
 - Terms of Reference created.
 - Work Packages within the problem properties action plan had been agreed.
 - Task and Finish Group established.
 - Regular meetings.
 - Bi-monthly Highlight Reporting on progress.
 - Empty and problem premises intervention process and powers agreed.
 - Presented to the Mayor and Executive Members and the Policy Development Group.
- Priorities for the Council included:
 - Working with Housing providers to bring back their empty properties back into use for the purpose of using them to accommodate temporary households, homeless or children leaving care.
 - Purchasing empty properties and refurbishing them to an acceptable standard to increase housing stock.
 - A Pilot scheme to identify:
 - Top 10 Long term empties - survey issued: findings to be evaluated.
 - Top 10 properties considered to be most in need of refurbishment: identify actions to bring them back into use.
 - Top 10 properties with highest arrears for Council Tax and Business rates: potential forced sale.
 - Review of the Empty Property Strategy to align to homeless and temporary accommodation needs by October 2024.

Details of the Council's empty and problem premises intervention process and powers were provided. The Council was keen to work develop positive relationship with owners and housing providers to improve their properties and uplift areas.

A summary of the number of empty properties in August 2024, broken down by Ward area was also provided. There were 2231 empty properties with 1233 empty for more than 6 months. Not all properties were derelict or deserted. There was an outstanding council tax balance of £5.5 million. The areas with the highest number of empty properties were the Central and Newport Wards, where the majority of stock were in Council Tax Band A.

Council Tax regulations enabled for a premium to be charged on properties that had been empty for two years or more. Nationally, the number of properties being charged the empty homes premium had risen year on year, suggesting that properties were remaining empty for longer, despite significant financial charges being placed against a property by the Local Authority.

Middlesbrough Council did not currently charge the maximum premium for properties that had been empty for 10 years or more. Whilst there were some advantages to charging the premium there were also disadvantages. It could be argued that charging the premium could become counter-productive since it increased the Council's debt provision. It was considered that exercising cross directorate powers as well as engagement with Landlords created more positive outcomes. The Council was also expanding its work with Registered Social Landlords to ensure they brought their properties back into use as soon as possible.

Previously there had been a Private Sector Housing Team within the Council and over the next few months Strategic Housing would become a function again. The Regeneration Directorate currently only worked on new buildings and new sites. Some of the powers that had previously existed were now scattered across different parts of the Council and were not

all actively used. A Member asked whether the Council had the power to force the sale of a property. It was confirmed that the Council could carry out compulsory purchase however to do this could take many years and also cost a lot of money. The cheaper and easier solution was to get the owners to rectify issues with their properties.

When a property had been secured or boarded up by the Council, a Member asked what further action was taken. The Director explained that this was the long-term strategy – to build a relationship with the owner and work with them to improve the area. Once an area started to improve it was hope that further intervention would not be needed. Existing Council resources were limited and the current team concentrated on the properties that were in the worst state of repair. Surprisingly it was often the case that people did not even know they owned a property – they might not even live in the UK and could have been left it in a Will. So those properties were not being checked regularly and were often those causing the most problems.

The Council was working with housing associations, using money including government funding to buy, refurbish and manage empty homes which could be used for vulnerable people, saving money on temporary accommodation. Funding was in place for one housing provider to tackle 200 properties over the next two years.

AGREED as follows that:

1. The information provided was received and noted.
2. Further information would be sought in relation to the percentage of empty homes per ward, the number of empty homes that were privately owned or owned by social housing landlords, and how the numbers of empty properties in Middlesbrough had changed over the last 10 years.

24/16 **OVERVIEW AND SCRUTINY BOARD UPDATE**

The Chair provided an update on items discussed at the last Overview and Scrutiny Board meeting.

24/17 **CRUSTACEAN DEATHS COLLABORATIVE WORKING GROUP - UPDATE**

There was no update from the Crustacean Deaths Collaborative Working Group as the Group had not met. However a meeting was scheduled later in the month and the Chair would update the Place Scrutiny Panel at a later date.

24/18 **DATE AND TIME OF NEXT MEETING**

The next meeting of the Place Scrutiny Panel was scheduled for Monday 23 September 2024 at 4.30 pm. The former Environment Scrutiny Panel's Final Report on Waste Management would be considered at the meeting and members of the former Environment Scrutiny Panel had been invited to attend.

24/19 **ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.**

None.