

**OVERVIEW AND SCRUTINY BOARD**

A meeting of the Overview and Scrutiny Board was held on Wednesday 23 March 2022.

**PRESENT:** Councillors M Saunders (Chair), D Davison, A Hellaoui, C Hobson, D McCabe, C McIntyre, J Platt, M Storey, J Thompson, S Walker and G Wilson (Substitute) (Substitute for A Bell)

**OFFICERS:** C Breheny, T Parkinson, G Cooper, C Benjamin, S Blood, R Horniman, A Humble and S Reynolds

**APOLOGIES FOR ABSENCE:** Councillors T Mawston and A Bell

20/75 **DECLARATIONS OF INTEREST**

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

20/76 **MINUTES - OVERVIEW AND SCRUTINY BOARD - 22 FEBRUARY 2022**

The minutes of the Overview and Scrutiny Board meeting held on 22 February 2022 were submitted and approved as a correct record.

20/77 **EXECUTIVE FORWARD WORK PROGRAMME**

The Chief Executive submitted a report which identified the forthcoming issues to be considered by the Executive, as outlined in Appendix A to the report.

The report provided the Overview and Scrutiny Board with the opportunity to consider whether any item contained within the Executive Forward Work Programme should be considered by the Board, or referred to a Scrutiny Panel.

**NOTED**

20/78 **EXECUTIVE MEMBER UPDATE**

The Executive Member for Environment, Finance and Governance, Cllr Barrie Cooper, was in attendance to update the Board on his aims and aspirations, progress made to date and to highlight any emerging issues relating to his portfolio. The Director of Legal and Governance Services and Head of Financial Planning and Support were also in attendance.

The Executive Member advised that when he previously attended the Board he had focused on the Environmental aspects of his portfolio. At today's meeting the focus would be on the Finance and Governance elements.

The Board was advised that as the Executive Member for Finance and Governance he had responsibility for ensuring that the Council operates efficiently, openly and fairly. The main areas covered in his portfolio were detailed in Appendix 1 of the report and in addition a number of outside body appointments fell to the portfolio holder including Chair of the Pension Board. It was highlighted that it would not be possible to talk in detail about all aspects but a flavour of the work undertaken would be provided.

In terms of Human Resources it was advised that regular meetings were held with the Head of HR and his aim as Executive Member was to make Middlesbrough a smarter, faster and safer place to be employed. It was highlighted that Middlesbrough Council had been awarded the Better Health at Work award and been accredited with maintaining excellence alongside a recommendation from assessors that ambassador status be obtained. In February 2022 a matter was put forward for consideration and the subject was for special leave provision to allow parents who suffer a miscarriage to be provided with up to three days paid leave. The loss of a pregnancy could be extremely distressing and the Council wanted to support its staff through that difficult time. It was noted that this would eventually be enshrined in law as a first reading of a new bill had taken place in Parliament on 10 December 2021 and the second

reading on 18 March 2022. Middlesbrough Council had shown its support early and enhanced our reputation as an employer of choice.

Reference was made to legal services and it was highlighted that Middlesbrough Council had many legal obligations, for instance ensuring that the Council delivered a balanced budget, ensuring that activities such as CCTV surveillance was lawful and that due regard was given to human rights and data protection rights. As Executive Member it was advised that his aim was to do the best he could for Middlesbrough residents, as long as it was legal, reasonable and possible. In consultation with the Monitoring Officer and agreement with full Council he had responsibility for ensuring the constitution was kept up to date, the last update being January 2022.

With regard to ICT services it was advised that the team were extremely helpful in ensuring digital services were delivered and the Council's digital strategy also fell within his portfolio. In terms of procurement it was noted that there was a duty for the Council to ensure value for money and this was achieved through diligent procurement practices including being an active member of the North East Procurement Organisation (NEPO).

In terms of finance, regular meetings were held with the Director of Finance to discuss issues including the revenue budget (currently sitting at £118,328,845), council tax, the medium term financial plan and capital strategy to ensure the strategic plan was delivered effectively.

The Board was advised that Covid had been a very challenging time for Middlesbrough Council but staff had gone above and beyond to ensure that children had been provided with computers, food parcels and home visits. In addition a huge amount of support had been provided to local businesses including the administration of the Covid Additional Relief Fund and the Omicron Hospitality and Leisure Grant Scheme. Reference was made to a number of joint reports produced alongside the Executive for Member for Regeneration; namely, Middlesbrough Development Company the Nunthorpe Grange Farm House Yard and Barns Disposal.

Following the update, Members were afforded the opportunity to ask questions.

A Member of the Board queried the amount of future additional investment that was proposed for Teessaurus Park. In response it was advised that £250,000 had been approved and it was anticipated that the works would hopefully be completed by Easter and would include a zip wire, new play equipment, light installations and an augmented reality trail.

Reference was made to the recently issued Council papers and the non-inclusion of Executive Member reports. It was queried as to the reason as to why these had not been included with the full Council papers since November 2021. In response it was advised that there were a number of reasons as to why these had not been included. The first inevitably related to the fact that there had been a number of changes to the Executive portfolios especially fairly recently and the constitution was permissive around the question of Executive Member reports. The constitution did not mandate that Executive Member reports had to be submitted to full Council. Discussions were ongoing with the Mayor and Executive about how best to ensure that this information was provided to full Council to enable Members to ask questions. Information would be brought to the Council's AGM meeting in May 2022 to inform the wider membership of these proposals.

In response to a query regarding the notional amount of hours dedicated to the role of an Executive Member and information provided at full Council directly linked to each individual it was advised that the role of an Executive Member was 24/7 and Executive Members could always be contacted. In terms of the information provided to Council professional advice was always fully taken on board and efforts were made to ensure the best possible outcome for Middlesbrough residents.

The Chair thanked the Executive Member for Environment, Governance and Finance, the Director of Legal and Governance Services and the Head of Financial Planning and Support for their attendance and contributions to the meeting.

**AGREED** that the information provided be noted.

**CHIEF EXECUTIVE'S UPDATE**

The Chief Executive was in attendance and provided an update to the Board in respect of the following:-

- LMT 'hot topics'
- School exclusions
- Executive decisions update

In terms of LMT 'hot topics' it was advised that the key issues for consideration were reoccupation and the move to Fountains Court; values and staff engagement including the embedding of the values in the political makeup of the Council; the strategic workplan and priority actions for 2022/23; locality working and strengthening the strategic element as well as expanding the scheme into Hemlington; health and safety and in particular violent incidents towards staff; the town centre and school exclusions.

Reference was made to school exclusions and data was presented in relation to the number of permanent exclusions that had taken place to date in Middlesbrough for 2021/2022 when compared to the numbers for the previous two years. It was advised that at the end of quarter three there had already been 43 permanent exclusions, which equalled the total number of exclusions for 2020/21 and there were a number of months still to go. It was acknowledged that potentially those numbers were slightly skewed owing to Covid, however, the figures remained much higher than the local authority would want them to be.

In terms of temporary exclusions the figures over the last three years had been fairly consistent and fairly high. Comparative data with the local authority's statistical neighbours was provided, which showed that in 2018/19 the rate of permanent exclusions for Middlesbrough's statistical neighbours was at 0.46 and Middlesbrough's rate was at 0.5. In 2019/20 (the latest data available) those rate amongst our statistical neighbours were halved and went down to 0.21, Middlesbrough's decreased but not by as much. Therefore from being in line with our statistical neighbours Middlesbrough was now 50 per cent above.

Reference was made to fixed term exclusions and it was noted that in 2018/19 Middlesbrough's rate at 46.63 was double that of its statistical neighbour's rate of 19.66. In 2019/20 Middlesbrough's statistical neighbour rate had dropped to 11.95 but our rate was 32.83. Almost 200 per cent more than our statistical neighbour's rate. In Middlesbrough children were far more likely to be temporarily or permanently excluded from school and as the authority with responsibility for education it was an issue that needed to be addressed.

In terms of the Council response it was advised that there had been the implementation of a new Outreach and Inclusion Model in January 2022, supporting children to remain in school through early intervention and support. However, the question remained as to whether it was the case that behaviour of children in Middlesbrough was much worse than elsewhere in the country or if there was a lower level of tolerance and support. Ongoing and tailored challenge, support and training was provided to schools. In addition a new special 'wrap around' project had recently commenced with two secondary schools, which involved the Police and Social Care / Early Help partners. The most recent figures also indicated that 34 per cent of children in Middlesbrough that were temporarily or permanently excluded from school related to children with a special educational need.

Further action taken by the Council included recruitment of an additional Access to Education Officer, providing greater challenge at the point schools notify the Local Authority with an intention to exclude. Working with unregistered education providers to support them to become registered to work with our children. Working with commissioners to increase the range and number of places in our Alternative Provision. As well as targeted mental health support for children and young people, although there was a need for a much wider and deeper CAMHS service, as there was in many other areas.

In relation to Executive decisions a number of reports were expected to be considered by the Executive in April 2022 and these included; a refresh of the Strategic Plan for 2022-2024; the schools capital programme 2022 including increased provision for children with Special Educational Needs and Disabilities; approval of the local cycling and walking implementation plan for Linthorpe Road corridor Phase 2; highway improvement works for 2022/23; approval of the Tees Valley Energy Recovery Facility Local Authority Special Purpose Vehicle and

Tender Pipeline for 2022/23.

During discussion Members of the Board expressed the view that it would be of real benefit to hear directly from Head Teachers across Middlesbrough in respect of the high level of exclusions in an effort to understand it from their perspective. With a view to working collaboratively with schools to address the issue and reduce the numbers of children temporarily and permanently excluded from school in Middlesbrough.

The Chair thanked the Chief Executive for his briefing and contribution to the meeting.

**NOTED**

20/80 **SCRUTINY CHAIRS UPDATE**

The Scrutiny Chairs/Vice Chairs provided updates in respect of the work undertaken by their respective panels since the last meeting of the Board.

**NOTED**

20/81 **TOWN CENTRE UPDATE**

The Director of Regeneration was in attendance to provide the Board with an update in respect of progress made to date in relation to town centre development. In terms of context it was highlighted that nationally the retail sector was shrinking dramatically and people's shopping habits had changed forever, as a result of Covid. In addition changes to working patterns and the introduction of hybrid contracts had exposed Middlesbrough's town centre retail offer but Middlesbrough was surviving.

It was noted that Middlesbrough had a higher than average town centre vacancy rate and was dominated by retail offer. The town centre was lacking in leisure venues and often people had poor perceptions of the town centre owing to crime and anti-social behaviour. However, the funding secured through the Future High Streets Fund and the Towns Fund provided a stimulant for change. The Council's acquisitions of key premises within the town centre had also helped to ensure that the Council retained influence over the future development of these sites and makeup of the town centre offer. Feedback provided by Government Advisors had emphasised the need for the town to move on from an over reliance on the retail sector and for leisure provision to be expanded. It was emphasised that there was a need to move away from thinking about the 'Town Centre' and instead for everyone's focus to be placed on the 'Centre of Town'.

In response to the factors highlighted above it was noted that Middlesbrough's strategy was to build a new economy based on multiple, diverse uses which would drive business, employment, living and leisure into central Middlesbrough. It was advised that this approach would deliver mutually-sustaining zones and clusters of activity which would create a new critical mass and give a new purpose to the economy. It was highlighted that this would include:-

- Living: building residential communities in central Middlesbrough
- Skills and Learning; integrating educational services and institutions
- Working; Bringing Employment and Commercial uses to the centre
- Health / Public Services: Bringing together public services in central areas
- Culture and Leisure; Providing entertainment and spaces for people to enjoy
- Retain: Maintaining a strong retail component in the high street

In terms of key areas of development updates were provided in respect of the following projects; Captain Cook Square; the Cleveland Centre; Teesside University; House of Fraser; Church House; Exchange Square, the Railway Station; CNE; Centre Square; Zetland and Middlehaven.

The Chair thanked the Director of Regeneration for his presentation and contribution to the meeting.

**NOTED**