

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on Tuesday 13 December 2022.

PRESENT: Councillors M Saunders (Chair), C Cooke, B Hubbard, D Jones, D McCabe, J Platt, M Storey and A Hellaoui (Substitute for J Thompson)

OFFICERS: S Bonner, G Cooper, R Horniman and A Humble

APOLOGIES FOR ABSENCE: Councillors T Mawston, R Arundale, D Davison, C Hobson, C McIntyre and J Thompson

20/138 **DECLARATIONS OF INTEREST**

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

20/139 **MINUTES - OVERVIEW AND SCRUTINY BOARD - 16 NOVEMBER 2022**

The minutes of the Overview and Scrutiny Board meeting held on 16 November 2022 were submitted and approved as a correct record.

20/140 **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

20/141 **EXECUTIVE MEMBER UPDATE - REGENERATION**

The Executive Member for Regeneration provided the Board with an update on activity within his portfolio. During the presentation the following points were made:

- There were five general areas within the remit of the portfolio; Transportation, Inward Investment; Economic Development; Housing Development and Planning and Building Control.
- With regards to Transportation – the Council had secured approximately £30,000 of Net Zero Hub Funding. This scheme had allowed the Council to install solar panels to the Zetland Car park with the aim of reducing its electricity running costs.
- A total of 32 Electric Vehicle charging points had been installed.
- Cycle lanes had been installed on Linthorpe Road with extensions intended to Linthorpe Village.

Members queried if there were any usage statistics for the cycle lanes and if there had been any incidents reported by users on the cycle lane. It was clarified that usage statistics were difficult to quantify but that no incidents had been reported by users of the cycle lanes.

A Member stated that while incidents may not have been reported there were signs incidents were happening, such as cars colliding with bollards on the cycle lane. A Member also stated that such occurrences were not unique to Middlesbrough and happened in other areas that had cycle lanes in town centres.

The Executive Member continued with his presentation and made the following points:

- In terms of inward investment - there had been several places in the town that had benefitted from increased investment.
- There was a rise in rental values which was having a knock-on effect of triggering private sector investment.

- There was also educational investment such as the Eton site in Middlehaven as well as increased investment in key digital companies.
- Middlesbrough was now ranked in the top five European Small Cities for Foreign Direct Investment in 2022.

A Member sought clarity on the term Foreign Direct Investment. It was clarified this was a complicated ranking system that identified that Middlesbrough was ripe for investment. It was also clarified that the term Foreign was misleading.

A Member queried when BoHo X was due to open. It was clarified that works needed to be carried out by Northern PowerGrid which were due to begin in January 2023. Upon completion of this work, it was hoped the building could be handed over to the tenant in April 2023.

A Member queried why the Council was approaching Eton College as a partner for educational investment and what the pros and cons were for this. The Executive Member stated Eton College was a prestigious, recognisable, name and could not think of any arguments against having them as a partner.

It was queried if Eton College's presence would have the effect of creating an educational hierarchy with existing colleges. The Chair commented that Eton's presence may draw educational talent away from existing colleges which, in turn, may have an impact on funding. The Chair also commented that Eton could provide support to Middlesbrough in other ways.

The Chair queried the delays to the construction of the new secondary school in Middlehaven. The Director of Regeneration clarified there were various risks associated with the project. However, the Council's progress was informed by progress made by the Department for Education. It was also clarified that the Council's substantive role in the project was primarily a land deal.

The Executive Member continued with his presentation and made the following points:

- Regarding Economic Development - there was a focus on the Town Centre as a leisure destination.
- All investment initiatives were linked with, and contributed to, the Council's Medium Term Financial Plan.
- Middlesbrough had the highest rate of small business development in the North East.

The Chair queried how the Executive Member had lobbied respective stakeholders and if he was comfortable with the Mayor sitting on the Board of the Mayoral Development Corporation in a personal capacity. The Executive Member clarified that in the event the Mayor had financial interests he would recuse himself from the respective discussions and decisions.

A Member queried if there were plans to sell Tees Amp. It was clarified that there was no definitive answer. Assessments were underway to determine if selling Tees Amp would be advantageous for the Council. The Chair commented that keeping Tees Amp within Council control would allow for increased revenue streams. The Director of Regeneration commented that was an important factor in determining the sale of Tees Amp or not.

A Member commented there was no detail about what the impact the Mayoral Development Corporation would have on Council functions. The Executive Member advised the query would be best directed to the Mayor of Middlesbrough and Tees Valley Mayor.

The Executive Member continued with his presentation and made the following points:

- Regarding Housing Development - existing sites were progressing well although there were difficulties for developments on Union Street
- Housing numbers were exceeding targets each year.

A Member queried what the housing targets were. It was clarified this varied but was ordinarily 430 houses.

The Chair queried how national targets influenced local targets. It was clarified the Local Plan would address this, but while national targets were important local context needed to be taken

into consideration. In terms of future targets it was likely they would be comparable to previous targets.

A Member queried if any work had been undertaken to shape demand, such as development of single bedroom properties which would impact young people. It was clarified that Savills had undertaken such work which had shown there was insufficient market demand for such housing and any developments of that nature would like fall to Councils.

A question was raised about incorporating energy saving devices into new housing developments, especially considering rising energy prices. It was clarified this was debated through the Local Plan and around how far this could be mandated. Were this to be mandated too heavily it could become prohibitively expensive. However, it was also noted that increasing energy prices may demand the market incorporate energy saving devices.

A Member queried what proportion of housing was deemed affordable within the housing targets. The Director of Regeneration stated this was a low number but would get exact figures to the Board.

The Chair queried when Thirteen Group's development in Gresham was likely to be completed. It was confirmed that costs for the development had increased significantly, as they had with other sites. However, it was hoped that an administrative presence would be on site at the end of December 2022.

A Member queried if there were means for Brownfield sites to be opened for development. It was confirmed the Council's role in the regard would involve securing and disposing of the sites, which increased costs and impacted on their re-sale value.

The Executive Member continued with his presentation and made the following points:

- Preparations were underway for a new Local Plan which would set standards in design for developments.
- There were capacity issues regarding Planning applications for a variety of reasons including people willing to spend more on their homes due to Covid-19.
- There was also a recruitment issue in the Planning services which was exacerbating workload pressures.
- While there was no detail, it remained to be seen what impact the Mayoral Development Corporation would have on Planning matters.

Regarding Planning fees, the Chair queried what the impact would be, and who the beneficiary would be, between the Council and the Mayoral Development Corporation

The Director of Regeneration clarified that all Planning powers would be transferred to the Mayoral Development Corporation which would then delegate those powers back to the Council. It was likely there would be two outcomes from this; either all Planning powers would be delegated back to the Council, or a small number of powers would be retained by the Mayoral Development Corporation. In terms of Planning fees, it was confirmed the Council's Chief Executive has insisted that any transfer of Planning powers could not affect the Council's finances. It was also confirmed there had been no agreement about defined roles and responsibilities between the Council and Mayoral Development Corporation.

The Chair commented there was a possibility the Mayoral Development Corporation would retain the best sites to retain the resulting fees and that relationships between the two organisations may be based on good will.

The Chair queried what negotiations the Executive Member had been part of with the Mayoral Development Corporation. It was confirmed the Executive Member had attended several meetings along with the Mayor.

A Member queried of the 50 Futures initiative could alleviate the recruitment issues faced by the Planning service. The Director of Regeneration stated that Executive had agreed to increase Planning fees which in turn could help in the recruitment drive. However, there were market challenges to the recruitment of Planning Officers. While progressive pay grades were being created to encourage existing officers to become Planning Officers this took time due to qualifications requirements, namely obtaining a degree.

A Member commented the Mayoral Development Corporation had been discussed at a previous meeting of the Corporate Affairs and Audit Committee and that Members had only received one briefing on this issue. It was clarified that a further briefing was planned and work with the Mayoral Development Corporation was at a formative high level. It was also noted the Council had submitted suggestions about the Corporation's constitution. Members expressed concern that insufficient information was being provided on this issue and they had not been involved in the process enough. It was commented that concerns Members had were also shared by officers and those concerns were being raised principally via Legal Services.

The Chair commented that this process should not just be an Executive function and that all Members should have the opportunity to provide input.

The Chair thanked the Executive Member for Regeneration and Director for Regeneration and Culture for their attendance.

At this point the in the meeting Cllr M Saunders took the Chair.

ORDERED that:

1. The Director of Regeneration provide the Board with numbers of affordable housing within the Council's housing targets.
2. That the information presented be noted.

20/142

REVENUE AND CAPITAL BUDGET - PROJECTED OUTTURN POSITION AS AT QUARTER TWO 2022/23

The Head of Financial Planning and Support provided a verbal overview of the Council's Quarter Two financial position.

As part of his overview, the Head of Financial Planning and Support made the following points:

- Projections showed a potential overspend of £9.4 million at the end of 2022/23.
- If the projected overspend was not kept under control this would have a negative impact on the Medium-Term Financial Plan.
- There was a great deal of uncertainty around this issue.
- There was also a projected capital budget outturn of £69 million against a revised capital budget of £90.6 million.
- Members' attention was drawn to the table in paragraphs nine and ten of the report which detailed how the projected overspend was calculated.
- Member's attention was also drawn to paragraphs 23 to 30 of the report which outlined the quarter two financial position.
- Paragraphs 99 to 102 of the report illustrated the Council's financial recovery plan and what was being done to address the projected overspend.
- Paragraphs 132 to 139 of the report provided details about borrowing amounts and costs while the table paragraph 140 showed the amount of reserves and provisions. It was commented that that the General Fund Reserve stood at £12million.
- The Head of Financial Planning and Support stated that several variables could change the figures presented and, where possible, those variables including the local government pay award, were being monitored.

A Member queried if any other pay awards could influence the Council's financial position. It was clarified that factors such as the living wage could play a role as this would play a role in inflation levels. It was also queried if other pay award models, such as that in Scotland, would be available. It was commented that work could be done to assess this and determine the risks, but much more detail would be required beforehand.

A Member queried, because of a lack of funding from Central Government, was there scope to work with other Councils to combat funding challenges. It was confirmed that significant discussion had taken place with the Department for Levelling Up, Housing and Communities had taken place, especially around the issue of Adult and Children's Social Care. It was also commented that the formula for the local government settlement was likely to change going

forward.

A Member queried why certain investment plan items had been ring fenced, such as Teesaurus Park. It was confirmed that such plans would not have generated significant saving opportunities

The Chair thanked the Head of Financial Planning and Investments for his overview.

NOTED

20/143

CORPORATE PERFORMANCE UPDATE - QUARTER TWO 2022/2023

The Strategic Delivery Manager provided the Board with a verbal overview of the Council's Strategic Plan position at quarter two. During her presentation the following points were made:

- While there had been delays to some projects the strategic workplan was performing at 98% of its initiatives being on track, with the corporate target being 90%.
- From a corporate compliance perspective, 83% of complaints and 86.9% of FOI and EIR requests were responded to within timescales. Overdue Subject Access Requests were also reduced further.

A Member queried if the slippage identified against the Brownfield Housing Fund initiative was related to the delays from work required by Northern PowerGrid. It confirmed this was the case.

A Member sought clarification on the commencement of Robotic Process Automation within the Council. It was clarified this was an initiative designed to remove repetitive administrative tasks and replace them with automated systems. However, it was also clarified this initiative had been removed from the portfolio as there was no appetite to implement this.

The Chair thanked the Strategic Delivery Manager for her overview.

NOTED

20/144

SCRUTINY CHAIRS UPDATE

The Chair of the Health Scrutiny Panel advised the Board that while the Health Panel has not met since OSB's last meeting, it was meeting later in the day to receive further information from NHS England regarding the Panel's review into Dental Health and the impact of Covid-19. This update would be presented by the Dental Care Commissioning lead, the Chair of the Local Dental Network and Dental Public Health Consultant.

The Panel would also be receiving an update about drug and alcohol services in the town from the Public Health Team.

The Chair of the Adult Social Care and Services Scrutiny Panel advised the Board that at its last meeting the Panel was held on 30 November 2022 Members received an update from the Chair of the Teeswide Safeguarding Adults Board (TSAB) who provided information regarding the Board's Annual Report 2021/22 and Strategic Business Plan 2022-25.

The panel also received an update from the Director of Adult Social Care and Health Integration in respect of integration work that had taken place between health and social care.

Members also heard from both the Director and the Head of Resident and Business Support in relation to 'The Impact of the Energy and Cost of Living Crises on Caring for Vulnerable Adults'.

The Chair of the Young People and Learning Scrutiny Panel advised the Board that at its last meeting the Panel continued gathering evidence in respect of its current review of 'Youth Offending and Partnership Working with Schools'. Kay Dargue, the Head of South Tees Youth Justice Service (STYJS) was in attendance to provide information on the barriers to young people in the youth justice system engaging in education.

The Scrutiny Panel also heard that young people involved in the youth justice system had often experienced multiple adverse childhood experiences and consequently, there could be numerous and complex reasons contributing to a child not attending school or being excluded. At the meeting, information was received on the work undertaken by the STYJS (in partnership with other agencies) to support those with drug or alcohol issues, those vulnerable to exploitation and those with the most complex needs.

The Chair of OSB provided the Board with the Economic Development, Environment, and Infrastructure's update in the absence of its Chair. The Board was advised the EDEI Panel received an update in relation to school transport, and while it was done at significant expense it was necessary to do so. The Panel also received an update on the cycle lanes installed on Linthorpe Road and were told that extension of the scheme to Linthorpe Village had been paused.

A Member queried if parents were in receipt of mobility allowance would they be required to contribute toward cost of transport. The Member was advised to contact the Director Environment and Commercial Services for clarification on this.

NOTED

20/145

ANY OTHER URGENT ITEMS WHICH, IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.

The Chair advised the Board that due to continuing demands on his time, it would be advantageous for both Overview and Scrutiny and the Chief Executive to attend Overview and Scrutiny Board on a quarterly basis rather than every meeting.

The Chair also advised Members that, where possible, the Chief Executive's attendance would be aligned with the scheduled quarterly updates. Members also expressed a preference the Chief Executive attend Overview and Scrutiny Board to update Members on any urgent matters.

Members agreed this arrangement should begin with Overview and Scrutiny Board's February meeting.

ORDERED that the Chief Executive attend Overview and Scrutiny Board on a quarterly basis beginning in February 2023.

20/146

DATE AND TIME OF NEXT MEETING - TUESDAY, 12 JANUARY 2023 AT 10:00AM

NOTED