

## THE EXECUTIVE

A meeting of the Executive was held on 24 November 2020 at 1:00 p.m. in Virtual Meeting.

**PRESENT:** Councillors Mayor A Preston (Chair) and Councillors D Davison, A High, C Hobson, D McCabe, M L Smiles and A Waters

**INVITEES:** Councillor J Thompson

**OFFICIALS:** C Benjamin, S Bonner, R Brown, S Butcher, G Cooper, G Field, R Horniman, A Hoy, C Lunn, E Mireku, G Moore, T Parkinson, S Reynolds, E Scollay and I Wright

### DECLARATIONS OF INTERESTS

There were no Declarations of Interest made by Members at this point in the meeting.

#### 20/59 **MINUTES - EXECUTIVE - 27 OCTOBER 2020**

The minutes of the Executive meeting, held on 27 October 2020, were submitted and approved as a correct record.

#### 20/60 **RESIDUAL WASTE COLLECTIONS**

##### **SUSPENSION OF COUNCIL PROCEDURE RULE NO 5 - ORDER OF BUSINESS**

**ORDERED** that, in accordance with Council Procedure Rule No 5, the committee agreed to vary the order of business.

**ORDERED** that the items be considered as shown:

The Executive Member for Environment and the Director of Environment and Community Services submitted a report for the Executive's consideration. The purpose of the report was to provide an update on the results of the consultation around the introduction of fortnightly collection for residual waste and to seek approval for the movement to fortnightly collection of residual waste from April 2021.

Middlesbrough was currently one of the few local authorities that continued to collect residual waste on a weekly basis. Nationally, less than 13% of authorities collected their waste weekly.

In September 2020, it had been outlined that moving residual waste collection to fortnightly collections would have the following environmental benefits:

- it would aid improved recycling rates by 3%;
- it would reduce the amount of residual waste sent for final disposal;
- there would be an annual reduction in CO2 emissions of 152,700kg and that would be achieved through the reduction in vehicles being used and equated to a service 30% reduction in the annual CO2 emissions;
- there would be an annual reduction of 57,000 litres of fuel consumption;
- it would assist in achieving the required change programme revenue savings of £322K alongside capital savings.

The Executive had previously agreed that a consultation on the proposals for fortnightly collection of residual waste would be undertaken.

Of the circa 57,000 affected properties, the Council had received a total of 3309 responses (both online and paper responses combined), which equated to 5.8% of affected properties.

In respect of the proposal to move to fortnightly collections, 1,811 (52.21%) of participants strongly disagreed with the proposal, 639 (18.42%) disagreed, 266 (7.67%) were neutral, 363 (10.46%) agreed and 230 (6.63%) strongly agreed. Those who had responded negatively to

the proposal equated to 4.3% of all affected properties.

Those who had responded negatively had provided the following reasons:

- My household would generate too much waste for the bin in a two-week period - 1,940 (55.92%). However, of the residents who had stated that they were unhappy due to current bin capacity, 23% had stated they would be happy if a larger 240 litre bin was provided.
- I am concerned that leaving waste for two weeks would be smelly/attract vermin - 2,241 (64.6%).
- I would find the bin too difficult to move if it contained two weeks' worth of rubbish - 906 (26.12%).
- Other - 375 (10.81%).

Measures proposed to mitigate those concerns highlighted in the consultation were outlined at paragraph 17 of the submitted report.

Should the move to fortnightly collection be agreed, a significant communication exercise would be carried out as the Council moved towards the roll out.

A discussion ensued and concerns were raised in respect of how the Council would distribute larger bins and additional recycling bins and how missed collections, fly tipping and vermin would be managed.

If approval was granted, the Executive Member for Environment advised that the Council planned to undertake work to ensure that those residents, who request larger bins or additional recycling bins, receive them in advance of the implementation date (1 April 2020). It was also added that:

- alley bins and large commercial bins would continue to be collected on a weekly basis;
- in areas that had been issued with black bin liners, those would continue to be collected on a weekly basis until bins could be distributed in those areas;
- systems and responses were being revised/developed to manage missed collections and prevent fly tipping; and
- additional staff had been trained in rodent control to respond to any issues on Council/public land.

## OPTIONS

**To change the residual waste collection frequency to Alternate Weekly (Fortnightly) with the current in use 140 litre wheelie bins - That was not being recommended as the waste public consultation questionnaire (October 2020) showed a large percentage of the participants expressed anxiety with that option.**

## ORDERED

**That the proposal to move to alternate weekly (fortnightly) residual waste collections, from April 2021, be approved.**

## REASONS

**The proposed changes planned to support the Council's Green Strategy and therefore aid achieving a Carbon Neutral status by 2029. It would improve the Council's current recycling rate toward the Government target of 50% by 2020. It would also embed the vision of the Council to be the lead authority on all environmental issues. Additionally, it planned to assist in delivering a saving of £322K and capital savings of £180k in line with the change Programme 3:1 (2021/22).**

**2021/2022**

The Mayor and the Director of Finance submitted a report for the Executive's consideration. The purpose of the report was to provide an update of the Council's Medium Term Financial Plan (MTFP) for the period to 2023/24, reflecting and supporting delivery of the Strategic Plan. The report outlined the proposed additional budget efficiency savings and the proposed Council Tax increase for 2021/22, and noted that following approval by Council on 16 December 2020 the proposals would be, where required, subject to public consultation.

The Council had a legal obligation in relation to setting a balanced budget and was required to meet the challenging financial targets faced in the MTFP. The setting of the budget was part of the policy framework and therefore required Full Council approval.

The report to the Executive on 29 September 2020 had detailed the anticipated changes to the Council's financial position in the period to 2022/23 since the budget report to Council in February 2020, along with the main assumptions and risks contained within the updated MTFP. The report highlighted that there was a requirement for an estimated £3m of additional budget savings in 2021/22.

The MTFP, along with the assumptions and risks included in it, had been further reviewed in the submitted report. The table at paragraph 9 of the submitted report summarised the updated position of the anticipated changes to the Council's financial position in the period to 2023/24, since the budget report to Council in February 2020.

The Executive had decided to propose a number of potential additional budget efficiency savings, which would have minimal or no effect on front line service delivery levels, alongside an increase in the Council Tax to 3.99% in 2021/22. Those were detailed in the submitted report with the proposed increases in Council Tax shown in paragraphs 27 to 33 and the proposed additional budget efficiency savings being shown in paragraphs 50 to 54. Those proposals were brought forward for consideration by the Executive and then by Council on 16 December 2020, after which public consultation on the budget and the proposed Council Tax increase of 3.99% (for 2021/22) would commence.

Following consideration of the proposed additional budget efficiency savings it had been determined that all of the proposed additional budget efficiency savings were considered to have minimal or no effect on front line service delivery levels and that they required no, or no further, public consultation or impact assessment prior to consideration by Full Council as part of the 2021/22 revenue budget for implementation in 2021/22. All of the proposed additional budget efficiency savings were therefore shown in Appendix 1. The budget consultation would therefore be regarding the proposed Council Tax increase only.

As noted in the report to Executive on 29 September 2020, there were a number of planned budget savings for 2021/22 that had been proposed as part of the budget report to Council in February 2020 and were already assumed in the MTFP. Those were shown in the table at paragraph 15 of the submitted report. It was noted that removal of any of those savings would have required further additional savings to be made to replace them.

**OPTIONS**

**The Council had no option but to monitor its financial position, addressing any potential financial pressures and any budget savings required, to ensure the Council's financial position was balanced. The updated Medium Term Financial Plan for 2020-24 would provide the means to achieve that in a proactive and systematic manner, while continuing to reshape the Council to lead the delivery of the priorities for Middlesbrough.**

**ORDERED**

1. **That the updated Medium Term Financial Plan position for 2020-24 be noted.**
2. **That the proposed additional budget efficiency savings for 2021/22 detailed in Appendix 1, which were considered to have minimal or no effect on front line**

service delivery levels, and the proposed Council Tax increase of 3.99% for 2021/22, be endorsed.

3. That the report be presented to Council on 16 December 2020, allowing consultation on the budget and the proposed Council Tax increase to commence, with any required changes arising from the discussion of the report at the Executive being delegated to the Executive Member for Finance and Governance, as advised by the Director of Finance.

## REASON

To enable the Council to meet its statutory responsibility to set a balanced revenue budget and to ensure that a proper framework was in place for the medium term financial management of the Council, which would enable the Council to take a systematic, coherent and controlled approach to addressing ongoing financial challenges over the medium-term, while maximising its contribution to the Mayor's priorities for Middlesbrough.

20/62

## REFRESHING THE STRATEGIC PLAN FOR THE 2021-2024 PERIOD

The Mayor and the Chief Executive submitted a report for the Executive's consideration. Prior to consideration by Full Council on 16 December 2020, the purpose of the report was to seek endorsement of proposed revisions to the Council's strategic priorities. It was proposed that consultation on those priorities and the 2021/22 revenue budget would form part of the first 'annual conversation' with local communities and the Council's stakeholders and inform the refresh of the Strategic Plan for the 2021-24 period, which would be presented to the Executive on 16 February 2021 prior to consideration by Council on 5 March 2021, following planned approval of 2021/22 budgets on 24 February.

It was proposed that the Council retained its three simple and interrelated strategic aims. Those were detailed at paragraph 14 of the submitted report and were both well-understood and remained responsive to the long-term issues facing Middlesbrough and to political direction.

While the Council's aims would remain unchanged, it was proposed to refine the Council's strategic priorities to provide a greater focus for the remainder of the Mayor's term. The proposed priorities were:

- children and young people;
- vulnerability;
- crime and anti-social behaviour;
- climate change;
- COVID-19 recovery;
- physical environment;
- town centre;
- culture; and
- quality of service.

That would reduce the number of strategic priorities to nine in total, from 20 in the 2020-23 Strategic Plan, and complete the process of the integrating the priorities of the Elected Mayor with those of the Council. Appendix 1 of the submitted report set out proposed priorities for 2021-24 in detail, showing changes from the current plan.

It was proposed that the Council consult with local communities and other stakeholders on those proposed revisions to strategic priorities. The consultation would take the form of the first 'annual conversation' with communities on direction of travel and future plans (including spending plans), an approach which would in future years be embedded within the Council's emerging locality working approach.

The 2020 annual conversation would run from 17 December 2020 to 31 January 2021.

The annual conversation planned to inform the development to the refreshed Strategic Plan for the 2021-24 period, which would be presented to the Executive on 16 February 2021 prior to consideration by Council on 5 March. Building on the economy of the current format and design, the refreshed plan would be further streamlined, aiding communication to stakeholders.

To improve focus upon and strengthen delivery of the Strategic Plan, a supporting workplan would be developed in the period to March 2021, bringing together all current and planned activity in support of the Council's strategic priorities. That workplan would be presented to the Executive for approval on 16 March 2021, following the planned approval of the finalised Strategic Plan at Council on 5 March.

The anticipated outline timetable for the refresh of the Strategic Plan was outlined at paragraph 24 of the submitted report.

## **OPTIONS**

**The only other realistic potential decision would have been to leave the Council's strategic objectives unchanged on the assumption that they were sufficiently flexible to accommodate responses to COVID-19 and other issues affecting the Council during 2020. However, that was not correct and neither would it represent an appropriate response to COVID-19, which would clearly impact local communities and the business of the Council for some years ahead.**

## **ORDERED**

**That the proposed revisions to the Council's strategic priorities for the 2021-24 period be endorsed.**

## **REASON**

**To commence the refresh of the Strategic Plan for 2021-24, based on real local insight through the first 'annual conversation' with local communities.**

20/63

## **REVISED APPROACH TO COVID-19 RECOVERY**

The Mayor and the Chief Executive submitted a report for the Executive's consideration. The purpose of the report was to provide an understanding of the Council's response to the second wave of the COVID-19 pandemic; in particular the recent surge in local cases of COVID-19, subsequent imposed restrictions from national Government and the resulting impact on the approach to recovery. The report also advised of the requirement to revise the approach to COVID-19 recovery and related recovery plan/strategy, as approved on 16 June 2020.

Since approval of the Council's COVID-19 Recovery Plan in June 2020, work had been undertaken to ensure plans remained fit-for-purpose and were able to flex in-line with the changing national and local position. Milestone plans were in place to monitor recovery activity, and those plans were reviewed by exception via Gold Command Recovery Group.

As at October 2020, progress against the plan (by Strategic Plan aim and Recovery work stream) was detailed at paragraph 14 of the submitted report.

As reported at Year-End 2019/20 and Quarter One 2020/21, COVID-19, both the response to it and the recovery from it, would have a significant impact on local people and communities, the local economy and would fundamentally change the way the Council did business in the future.

Priorities had undoubtedly been impacted as a result of COVID-19; new plans had emerged, and others had been de-prioritised, or were no longer necessary.

Significant surges in infection rates of COVID-19 and increased numbers of outbreaks

(leading to further community transmission) had occurred across Middlesbrough, the Tees Valley and North East. The second wave implications and enforced restrictions in many areas of the country, including Middlesbrough and the wider Tees Valley had confirmed the need to reassess and review local response to outbreaks and longer term implications/requirements for recovery.

In light of the fundamental and lasting impact of COVID-19 on local communities, Phase 2 Recovery would consider longer-term assumptions and impact and would feed in to a revised Strategic Plan for the Council for 2021/22 onwards. A separate report submitted to the meeting had set out proposed revised priorities for future years and the proposed approach to consulting with communities on those priorities in advance of finalising the plan in March 2021.

The revised COVID-19 Recovery Plan metrics and measures, as set out at Appendix 1 of the submitted report, identified new priorities, timescales and measures of success to address the increased and new risks posed to the Council, as a result of the disruption caused by the resurgence of COVID-19.

### **OPTIONS**

**Not applicable; the Council had a legal duty to respond to an emergency incident.**

### **ORDERED**

1. **That the impact of the recent surge in local cases of COVID-19, the nationally imposed restrictions and resulting impact on the approach to Recovery, approved by the Executive in June 2020, be noted.**
2. **That the Council's revised approach to COVID-19 Recovery be approved and the updated Recovery metrics and measures, at Appendix 1, be noted.**
3. **That the delegation of approval for minor amendments to in-quarter timescales against Recovery metrics and measure timescales, via the Recovery Group, be agreed. That any significant variation to approach or deliverables be reported, for approval, via the quarterly Strategic Plan progress reports to Executive.**

### **REASON**

**To enable the effective management of delivery and monitoring of progress, against the Council's approach to COVID-19 Recovery and to support delivery of the Council's strategic priorities.**

**To advise that regular updates on progress towards COVID-19 Recovery would continue to be provided to the Overview and Scrutiny Board and also as part of the quarterly Strategic Plan updates to the Executive.**

**It should be noted that the deadlines associated with the Recovery metrics and measures were dependent on the 'R number' and any associated restrictions enforced as a result. The R number was the average number of people that one infected person would go on to infect. When the R number was 1, one infected person would go on to infect one other person on average. If it was higher than 1 then the number of cases in a population would increase exponentially unless immunity and/or controls were in place. Conversely, if the number was lower than 1 then cases would eventually peter out.**

20/64

### **STRATEGIC PLAN 2020-2023 – PROGRESS AT QUARTER TWO 2020/2021**

The Mayor and the Chief Executive submitted a report for the Executive's consideration. The purpose of the report was to advise of progress against the 2020-23 Strategic Plan and outline strategic risks at Quarter Two 2020/21.

The Council's Scheme of Delegation gave the Executive collective responsibility for corporate strategic performance, together with associated action.

The submitted report provided the necessary information to enable the Executive to discharge its performance management responsibilities, setting out:

- a progress update against the 2020-23 Strategic Plan, summarising the actual and likely future impact of the COVID-19 pandemic on the Council's strategic objectives, where they were known at that stage;
- an update on the Council's Strategic Risk Register; and
- actions that the Council had taken and planned to take to address the issues raised.

The financial projections for Quarter Two were reported separately at the meeting. However, where performance had a significant impact on financial performance that was highlighted across both reports.

Paragraphs 13 to 61 of the submitted report set out in brief the key headlines from Quarter Two relating to the Council's current strategic priorities, including where available current estimates of the impact of COVID-19 and future plans.

### **ORDERED**

**That the progress made in implementing the Council's Strategic Plan 2020-23 in Quarter Two 2020-21 and the ongoing and likely future impact of COVID-19 on strategic objectives, where they were known at that stage, be noted.**

**That, in light of the above, the Council's updated Strategic Risk Register at Appendix 1 be noted.**

### **REASON**

**To enable the effective management of performance and risk in line with the Council's Local Code of Corporate Governance.**

20/65

### **CHILDREN'S SERVICES IMPROVEMENT PROGRAMME: OVERVIEW OF PROGRESS. JUNE – OCTOBER 2020.**

The Deputy Mayor and Lead Member for Children's Social Care and the Executive Director for Children's Services submitted a report for the Executive's consideration. The purpose of the report was to provide an overview of the strategic and operational actions undertaken between June and October 2020 against the Children's Services Action Plan 2020/21. It also set out the context in which those actions had been carried out and that of delivering against Children's Services Improvement Plan 2020/23. The overall aim was to improve outcomes for Middlesbrough's vulnerable children, young people, families and carers.

Children's Services in Middlesbrough had been the subject of a full Ofsted inspection in November/December 2019. The report, published in January 2020, had evidenced that services were inadequate in all categories. As was usual in such circumstances, the Department of Education (DfE) appointed a Commissioner to examine Children's Services as a whole and make recommendations to the minister, as to whether the Council required an Alternative Delivery Model. The commissioner's recommendation *'that there are reasonable grounds to conclude that this is not an LA where alternative delivery models are needed at this stage'* had been subsequently accepted by the minister. It had also been agreed that the commissioner would stay involved with Children's Services on a 2/3 day per month basis and submit further reports to the minister in November 2020 and May 2021.

The submitted report was an update covering the period since the receipt of the confirmatory letter from the minister in May until the end of October, which coincided with the period that the commissioner would cover in his November 2020 report.

The submitted report was written against the three themes of the improvement plan. The report provided an update on the strategic and operational work undertaken in respect of:

- Quality and Performance - the Multi-Agency Children's Hub, early help, Futures for Families, participation and Innovate (paragraphs 6 to 22),
- Leadership and Management (paragraphs 23 to 30) and;
- Governance and Partnerships (paragraphs 31 to 40).

## **ORDERED**

**That the overview of the strategic and operational work undertaken between June - October 2020, in line with the Children's Services Improvement Action Plan 2020/21, be approved.**

## **REASON**

**It was important that the Executive had oversight of:**

1. **the improvement plan and the improvement work taking place to deliver improved outcomes for children;**
2. **the external scrutiny of Children's Services in particular the additional scrutiny given because Middlesbrough's Children's Services were in intervention; and**
3. **the context in which the service operated.**

20/66

## **INVEST TO SAVE PROPOSAL; REDUCING HIGH COST PLACEMENTS AND IMPROVING OUTCOMES FOR CHILDREN IN CARE**

The Deputy Mayor and Lead Member for Children's Social Care and the Executive Director for Children's Services submitted a report for the Executive's consideration. The purpose of the report was to outline the benefits of the proposal for improving outcomes for Middlesbrough's looked after children. The proposal would result in improved care planning and more appropriate placements such as children returning to in-house provision in the Middlesbrough area, moving from residential care to foster care again in the Middlesbrough area and in some circumstances home to birth parents where it was safe to do so.

There were significant cost benefits to the Local Authority as the current spend on external residential placements was a significant financial pressure.

The current project had been in place since July 2020 and had evidenced impact to date. The proposal was to extend the project for a further period of 24 months from January 2021.

To date, the progress of the project had resulted in direct savings in year, 2020-21, estimated to be £385k with a full year effect next financial year of £797k. That was likely to increase by a smaller amount in the current financial year and more for the full year effect for 2021-22 due to work still in progress.

The cost of the service for phase 1 had been £273,000, so it was clear at the mid-point that it had already achieved its invest to save ambition.

Throughout the first phase of the project there was an evidenced impact of improved care planning for children, improved outcomes and securing more appropriate placement options for the identified cohort of children.

A further cohort of 27 children and young people had been identified for a potential phase 2 of the project. Should the project continue, in depth assessments would be undertaken to identify the most appropriate care planning options and next steps.

It was important to note that all of the children in that cohort may not return home as a first step and therefore realise full cost avoidance. Following full assessment at the start of phase 2, some children may go to fostering placements or to in house residential placements so there were still associated costs but at a significant reduction to external residential placements.

If the project impacted on a further 10 external residential placements, over the next 6 months, the cost avoidance based on an average weekly cost would be an estimated £1.8m for the full year. That assumed that the 10 young people in phase 2 would have moved placement by 1 April 2021, allowing for a full year effect.

Indicative costs for continuing the project for 12 months would be approximately £560,000.

### **OPTIONS**

**The other potential option would be an attempt to manage improvement with existing resources.**

### **ORDERED**

**That the progress made with the current Innovate Project, to improve care planning for children looked after, improve outcomes and also reduce high cost spend, be noted.**

**That the proposal to extend the current contract for a period of 24 months be noted. That would be reviewed on a 3 monthly basis to monitor effectiveness and agree if continuation was required.**

### **REASON**

**The decision was being recommended in order to improve care planning for children looked after, improve outcomes and potentially reduce high cost spend.**

20/67

### **RE-PROCUREMENT OF TEES INTEGRATED SEXUAL HEALTH SERVICE**

The Executive Member for Adult Social Care and Public Health and the Director of Public Health submitted a report for the Executive's consideration. The purpose of the report was to seek approval for Middlesbrough to be part of a re-procurement of a Tees integrated sexual health service with a view to commence the new service on 1 August 2021 for a period of three years.

There was a statutory duty incumbent on local authorities, Clinical Commissioning Groups and NHS England and NHS Improvement to commission or provide sexual and reproductive health services.

In August 2016, sexual health services were re-commissioned to deliver integrated services across Teesside for 5 years with an option to extend for 2 x 24 month periods. Virgin Care Services Ltd. was the successful bidder. The incumbent provider had rejected the offer of a 12 month extension resulting in the collaborative commissioners moving to procure a new service.

In Tees, open access sexual health services were commissioned by six different commissioning bodies (Hartlepool Borough Council, Middlesbrough Borough Council, Redcar and Cleveland Borough Council, Stockton-on-Tees Borough Council, NHS Tees Valley Clinical Commissioning Group (formerly South Tees Clinical Commissioning Group and Hartlepool and Stockton Clinical Commissioning Group) and NHS England. Services were seamless to patients.

Sexual Health Teesside (SHT) delivered levels 1, 2, 3 and 4 sexual health services ranging from condom distribution (level 1), provision of contraception (level 2), screening and treatment of Sexually Transmitted Infections (level 3) to vasectomy services (level 4). Services were delivered from a range of hub and spoke clinics, outreach facilities and subcontractors included GPs, Pharmacies, Brook, Terence Higgins Trust (THT), Marie Stopes International and Acculabs.

### **ORDERED**

**That Middlesbrough be part of a re-procurement of a Tees integrated sexual health**

**service with a view to commence the new service on 1 August 2021, for a period of three years.**

#### **REASON**

**Recent changes in public health outcome performance and COVID-19 had driven the need to change the service model. In order to achieve that the Tees Sexual Health Needs Assessment had been refreshed alongside the collation of views sought from stakeholders. A service performance review and a recent piece of research to understand market appetite had developed a revised service specification.**

**A stakeholder e-consultation had been undertaken in July 2020 and feedback had influenced the content of the final service specification. Ongoing consultation was taking place with service users as part of the contract monitoring process and the current provider had been consulted throughout the process.**

#### 20/68 **ANNUAL UPDATE: SPECIAL EDUCATIONAL NEEDS AND OR DISABILITIES 0-25**

The Executive Member for Communities and Education and the Director of Education, Prevention and Partnerships submitted a report for the Executive's consideration. The purpose of the report was to provide an update on Special Educational Needs and/or Disabilities 0-25 in Middlesbrough, since the local area revisit in July 2019.

In March 2017, Middlesbrough Local Area had been inspected by Ofsted and the Care Quality Commission as part of a new SEND inspection process, for the quality of Special Educational Needs and Disabilities provision for children and young people. The inspection included scrutiny of the contribution of Education, Social Care and Health in ensuring that children and young people with Special Educational Needs and Disabilities made good progress and had their needs met in a timely manner. The outcome of the inspection in 2017 resulted in a Written Statement of Action to address significant concerns.

In July 2019, the same Ofsted and CQC inspection team revisited the local area to inspect the sustained progress since March 2017 and to identify if sufficient progress had been made on each of the four areas for development. The Lead HMI Inspector explained that the inspection team observed sufficient progress in each of the four areas and that Middlesbrough (LA and Health) no longer needed formal monitoring.

An outline of the progress made, since the 2017 Written Statement of Action, was included at paragraph 9 of the submitted report.

#### **ORDERED**

**That the report, providing an update on progress since the 2017 Written Statement of Action and providing oversight of the Local Authority's statutory duties in relation to SEND, be noted.**

#### 20/69 **PLACE PLANNING STRATEGY UPDATE AND ACTION PLAN**

The Executive Member for Communities and Education and the Director of Education, Prevention and Partnerships submitted a report for the Executive's consideration. The purpose of the report was to provide an update on progress made against the Place Planning Strategy 2020-25 and provide a brief update on recent changes to demographic trends which impacted on demand for school places.

On 21 January 2020, the Executive approved the school Place Planning Strategy. The strategy set out the Council's approach to ensuring the efficient and effective supply of school places over the next five years.

The Strategy identified 16 priorities, which required addressing to ensure that all pupils could have timely access to an age-appropriate school place suitable to their learning needs.

A high-level action plan flowing from those priorities, setting out broad timescales, anticipated costs and funding sources was included at Appendix A of the submitted report. Short-term actions were more developed, while actions towards to end of the planning period allowed more flexibility to develop as trends were confirmed.

The plan also provided an update on progress since the strategy had been approved.

Significant developments included:

- the provision of 151 additional primary school places in the centre of town at two primary schools;
- Outwood Academy Riverside, a new secondary Free school, opened in September and was offering 150 Year 7 places in its first year of operation rising to 210 by year four - total capacity 1,050;
- eight additional places for pupils with Severe Learning Difficulties made available at Priory Woods; and
- a new base for pupils with Autistic Spectrum Disorder opened at Acklam Grange School and admitting its first pupils.

In order to keep the action plan current it had been reviewed to take into consideration changes to the demographic trends underpinning projections of future school roll numbers. In July 2020, the primary and secondary school roll projections were updated to take into account the newest data from school admissions, birth rates and migration trends. Key changes had been identified and were detailed at paragraph 7 of the submitted report.

## **OPTIONS**

**No other options had been considered. The place planning strategy set the priorities to ensure that the Council fulfilled its statutory obligation to provide sufficient school places. The action plan set out the steps to be taken to address those priorities.**

## **ORDERED**

**That the contents of the report, including the update on pupil demand and the appended action plan, be noted.**

## **REASON**

**Middlesbrough Council had a statutory obligation to ensure that there were sufficient school places to meet demand. The Place Planning Strategy action plan would ensure that the Council complied with that duty.**

**The plan would contribute to the social regeneration of Middlesbrough: providing more local school places, ensuring that young people could get the right education, learning experiences and qualifications they needed to achieve their potential.**

20/70

## **MIDDLESBROUGH TOWN CENTRE STRATEGY**

The Executive Member for Regeneration and the Director of Regeneration and Culture submitted a report for the Executive's consideration. The purpose of the report was to seek approval for:

1. the development of a new Town Centre Strategy; and,
2. the principle of strategic alignment of external funding opportunities to aid the delivery of the Town Centre Strategy.

It was more critical than ever that bold, decisive and meaningful action was taken to save the town centre, bringing it back into the heart of the community and completely redefining its function and uses, for the future.

Retail would always form a component of the town centre experience, but there was a need to draw more complementary uses and amenities into the town centre, to make it a thriving hub of activity; creating a new urban community.

To achieve that, Middlesbrough's approach would be to build a new economy based on multiple, diverse uses that would drive business, employment, living and leisure into central Middlesbrough. The policy planned to deliver mutually-sustaining zones and clusters of activity that would create critical mass and provide a new purpose to Middlesbrough's economy. That would include:

- Living: building residential communities in central Middlesbrough;
- Skills and Learning: integrating Middlesbrough's educational services and institutions;
- Working: bringing employment and commercial uses to the centre;
- Health and Wellbeing: providing the facilities and amenities to improve quality of life;
- Civic: bringing together public services in central areas;
- Culture and Leisure: providing entertainment and spaces for people to enjoy; and
- Retail: maintaining a strong retail component in the high street.

The diversification of the town centre would be underpinned by the cross cutting objectives of:

- Transport - delivering excellent transport and connectivity;
- Digital - digitising our town centre and building The Digital City;
- Environment - providing green spaces and public places that promote activity and wellbeing; and
- Welcoming to all - families, children, people with dementia etc. should feel safe and welcome.

The new Town Centre Strategy had broader ambitions and provided a framework for delivery that planned to give businesses and investors certainty. The approach capitalised on a foothold base of those services that were less sensitive to market shocks (public sector) and build a healthier mix of uses that fed into one another.

By targeting investment to central areas, the aim was not to diminish the role and significance of district centres. Indeed, the approach planned to provide economic growth opportunities for all areas as employment, business, commercial, residential and talent was increasingly drawn into the wider Middlesbrough ecosystem.

## OPTIONS

**In transforming the economic potential of central Middlesbrough, the following options had been considered:**

- **Do nothing - By not acting, Middlesbrough would have overseen an inevitable erosion of the retail sector in central Middlesbrough. Through a policy of managed decline, the town centre would slowly hollow out, losing employment and investment opportunities.**
- **Deliver a Town Centre Strategy that focussed on single sector uses - Covid-19 had exacerbated the need for diversification and the range of services that were required to deliver sustainable change. Whilst adapting to single sector such as housing or leisure would have had some impact in reversing decline, it would not have had the same scale, or sustainability of impact, which would have come from a multifunctional approach.**

## ORDERED

1. **That the development of a new Town Centre Strategy for Middlesbrough, which acknowledged the impacts of Covid-19 and provided a new framework for the comprehensive transformation of the function and uses of the town centre, be approved; and**
2. **That the principle of the strategic alignment of any external funding opportunities that may be forthcoming (Towns Fund and Future High Street**

Fund), to aid the delivery of the objectives of a revised Town Centre Strategy, be approved.

## REASONS

**The trend of decline in traditional town centre models was irreversible and accelerating. A programme to transform central Middlesbrough into a multifunctional economic hub provided the greatest propensity for driving economic growth and recovery; delivering greater opportunities for the residents of Middlesbrough.**

**A single, cohesive framework, provided certainty to invest and articulated an ambition that was deliverable and where each component was mutually-supportive. It laid the foundations for new communities and central amenities that would inspire Middlesbrough's population and significantly improve the perceptions of the town.**

**The approach accorded with the Mayoral set out in the Strategic Plan 2020-23, which included:**

- 1. tackling crime and anti-social behaviour head on;**
- 2. ensuring Middlesbrough was an absolute leader on environmental issues;**
- 3. transforming Middlesbrough's town centre with new buildings that inspire awe;**
- 4. building more town centre homes and protecting green spaces;**
- 5. making Middlesbrough look and feel amazing;**
- 6. winning investment and creating jobs; and**
- 7. creating positive perceptions of the town on a national basis.**

20/71

## REVENUE AND CAPITAL BUDGET – PROJECTED OUTTURN POSITION AS AT QUARTER TWO 2020/2021

The Executive Member of Finance and Governance and the Director of Finance submitted a report for the Executive's consideration. The purpose of the report was to provide information on the Council's financial position at Quarter Two 2020/21, including the projected effect of Covid-19 on the Council's finances.

As reported in the 2020/21 Quarter One Projected Outturn reports to Executive on 18 August 2020 and to Council on 2 September 2020 and the Medium Term Financial Plan Update to Executive on 29 September 2020, the Covid-19 pandemic was having a significant impact on the Council's financial position. Covid-19 financial pressures were being monitored separately from the normal non-Covid-19 financial position, and those were reported in paragraphs 41 to 67 of the submitted report.

The 2020/21 Revenue budget for the Council was £116,397,000. A revised senior management structure within the Council was implemented during Quarter One and the financial position was reported against that new structure. The Council's outturn position for 2020/21 for non-Covid-19 elements was projected to be an underspend of £9,000 (-0.01%). The split by Directorate was shown in the table at paragraph 7 of the submitted report.

That when added to the estimated Covid-19 pressures of £4.414m, detailed in paragraphs 41 to 67, resulted in a total projected outturn pressure at year end 2020/21 of £4.405m. That was a small reduction to the total projected outturn pressure of £4.435m reported at Quarter One. The overspend in 2020/21 would be covered by the General Fund Reserve as approved by Council on 2 September 2020.

The detail of the variances was set out in paragraphs 10 to 39 of the submitted report. At Quarter Two, 33 areas were projected to be spent +/- £150,000 of the agreed budget.

As previously reported to the Executive, a number of controls had been implemented in 2019/20 to minimise overspending across the Council in-year and those had remained in place for 2020/21.

As part of the MTFP report to Executive on 2 September 2020, the Executive approved a revised capital budget for 2020/21 of £55,019,000. Following a further review and the inclusion of new additional schemes and increases to existing schemes (as detailed in paragraphs 77 to 79 of the submitted report) it was currently predicted at Quarter Two that the Council would spend £50,363,000 at year-end. The underspend was mainly due to delays on major schemes resulting from the Covid-19 pandemic.

The revised Investment Strategy to 2022/23 was included at Appendix 2 of the submitted report for approval.

### ORDERED

1. **That the 2020/21 revenue budget Quarter Two total projected outturn of £4.405m, representing a £9,000 (-0.01%) underspend on non-Covid-19 elements, and the estimated financial effect of Covid-19 in 2020/21 of £4.414m, and the proposed actions to address this, be noted.**
2. **That the proposed use of the General Fund Reserve, as approved by Council on 2 September 2020, to fund the total projected overspend in 2020/21, be noted.**
3. **That the proposed revenue budget virements, over £150,000 (Appendix 1) be approved.**
4. **That the 2020/21 capital budget Quarter Two predicted outturn of £50.363m, against a budget of £55.019m, driven in the main by delays resulting from Covid-19 be noted and the proposed revised Investment Strategy to 2022/23 at Appendix 2 be approved.**

### REASON

**To enable the effective management of finances, in line with the Council's Local Code of Corporate Governance, the Scheme of Delegation and agreed corporate financial regulations.**

20/72

### NUNTHORPE GRANGE FARM: DISPOSAL – CHURCH LANE [PART A]

The Executive Member for Finance and Governance, the Executive Member for Regeneration, the Director of Finance and the Director of Regeneration and Culture submitted a report for the Executive's consideration. The purpose of the report was to provide information on the proposal to dispose of the Council's freehold interest in land at Nunthorpe Grange Farm.

The subject parcel of land currently formed part of a much larger, now defunct, agricultural holding situated at Nunthorpe Grange Farm next to the former farm house, yard and buildings - with Guisborough Road (A1043) located immediately to the northern boundary of the subject parcel of land, and Church Lane to the south.

Shown edged on the plan attached as Appendix A of the submitted report, the subject parcel of land measured @ 5.954 Acres (2.410 Hectares). Rectangular in shape, and situated outside of the Local Plan Framework development boundary, the site comprised an open and vacant area of paddock grazing land, which sloped gently and had both boundary hedgerow and tree cover.

It was proposed that access to the subject parcel of land would be taken via a new highways roundabout junction to be constructed on Guisborough Road (A1043). The design of the new arrangement (referenced in Appendix B of the submitted report) planned to allow the Council to bring forward the subject site, serve any future requirement to access the land situated north of Guisborough Road (A1043) and potentially facilitate delivery of a park and ride scheme proposal on land to the east of the subject site.

An Asset Disposal Business Case confirming the status of the subject land, as surplus to operational Council requirements, was attached as Appendix D to Part B of the report.

### OPTIONS

**Re-use for operational purposes - No Council operational service requirement had been identified.**

**Other uses - Although the site was capable of being used for other purposes, it was situated outside of the Local Plan Framework development boundary and certain types of development would have been restricted in planning terms. The future use of the site for the purposes of religious worship, as being proposed by the Buyer, was preferred.**

**Do nothing - The property would have remained in its present state. Whilst the subject land would have been retained for potential Council use in the future, the liability and responsibility for maintaining and holding the property would have remained with the Council in the interim.**

#### **ORDERED**

1. **That the information contained in Part A of the report be noted; and**
2. **That the decision be taken once all the financial or exempt information contained in Part B of the report had been considered.**

#### **REASONS**

**In order to meet the Council's requirements to generate capital receipts, increase annually recurring revenue streams and to bring the subject parcel of land into a far more beneficial use in the future.**

**The disposal of the subject parcel of land as proposed planned to generate a substantial capital receipt that the Council had allocated to fund/part-fund planned highways junction works on the adjacent Guisborough Road (A1043) as per Appendix B.**

**The disposal as proposed supported delivery of the Council's Medium Term Financial Plan.**

20/73

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

#### **Overview and Scrutiny Board Call-In Referral of Council - Future Office Accommodation Update, made by Executive on 27 October 2020.**

The Mayor had granted approval for an additional report to be considered at the meeting.

The purpose of the report was to provide recommendations following the OSB Call-In of 20 November 2020 and its decision to refer the decision of 27 October 2020 (Council - Future Office Accommodation Update) back to the Executive.

The OSB had stated that the decision taken on the 27 October 2020 by Executive needed to be reconsidered due to the reasons cited during the Call-In meeting of 20 November 2020.

The Board was of the view that the original report to Executive had not contained the sufficient level of detail required to make an informed decision, and therefore as part of its referral, OSB proposed the following recommendations to assist the Executive:

1. **That the report be revised to include further clarity, for example, about where the funds cited would be spent; and**
2. **That additional contextual information be provided, as this would be beneficial to explain the background of the original proposal and subsequent decision.**

The Mayor explained the reasons for the decision and advised that all of the relevant information had been shared at the Call-in meeting. Therefore, it was commented that nothing would have been gained from revisiting the decision and delaying its implementation.

**ORDERED**

1. That the recommendations proposed by the Overview and Scrutiny Board be noted, but not agreed.
2. That the recommendations agreed at the Executive meeting, held on 27 October 2020, be implemented with immediate effect.

**REASONS**

Following a Call-In meeting of Overview and Scrutiny Board on 20 November 2020, it had been decided that the Executive decision (Council - Future Office Accommodation Update) should be referred back to the Executive for further consideration.

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

**20/74 EXCLUSION OF THE PRESS AND PUBLIC**

The resolution to exclude the press and the public was agreed.

**20/75 EXEMPT – NUNTHORPE GRANGE FARM: DISPOSAL – CHURCH LANE [PART B]**

The Executive Member for Finance and Governance, the Executive Member for Regeneration, the Director of Finance and the Director of Regeneration and Culture submitted a report for the Executive's consideration.

**ORDERED**

1. That the recommendations of the report be approved.
2. That a proportion of the capital receipt (i.e. £43,500) generated by the disposal of the land be allocated to Nunthorpe and Marton East wards, for community use.
3. That a land-related covenant be applied, imposing restrictions on future use of the land.
4. That, in respect of the disposal of Council assets, a report be submitted to a future meeting of the Executive to ensure that when a negotiated sum exceeded the asset value, a proportion of the capital receipt generated would be allocated to the relevant ward/s, for community use.

**REASONS**

The decision was supported by the following reason:

For reasons outlined in the report.

The decision(s) will come into force after five working days following the day the decision(s) was published unless the decision becomes subject to the call in procedures. The report entitled 'Re-procurement of Tees Integrated Sexual Health Service' was added as an urgent item and, following agreement from the Chair of the Overview and Scrutiny Board, will be exempt from call in procedures.