

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 23 October 2024.

PRESENT: Councillors: Blades (Chair), Kabuye (Vice Chair), Branson, Clynch, Coupe, Ewan, Lewis, McClintock, Morrish, Saunders and Wilson.

OFFICERS: R Brown, J Dixon, G Field and R Horniman.

PRESENT AS OBSERVERS: A Glover – Middlesbrough Council Marketing and Communications
D Hodgson – Local Democracy Reporter

PRESENT BY INVITATION: Councillor P Storey – Deputy Mayor and Executive Member for Education and Culture

An APOLOGY FOR ABSENCE was submitted on behalf of Councillor Banks

** DECLARATIONS OF MEMBERS' INTERESTS

Name of Member	Type of Interest	Nature of Interest
Councillor McClintock	Non-pecuniary	Agenda Item 5 – Governor at Middlesbrough College – in relation to a discussion point.

WELCOME AND EVACUATION PROCEDURE

The Chair welcomed those present and advised that as there were no scheduled tests, should the fire alarm sound, attendees should evacuate the building via the nearest fire exit and assemble at the Bottle of Notes opposite MIMA.

MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 25 SEPTEMBER 2024

The Minutes of the previous meeting of the Overview and Scrutiny Board held on 25 September 2024 were submitted and approved as a correct record.

MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 30 SEPTEMBER 2024 (CALL IN)

The Minutes of the Overview and Scrutiny Board Call-in meeting held on 30 September 2024 were submitted and approved as a correct record.

** SUSPENSION OF COUNCIL PROCEDURE RULES - ORDER OF BUSINESS

ORDERED: that in accordance with section 4.57 of the Council Procedure Rules, the Committee agreed to vary the order of business to consider agenda item 8), as the next item of business.

EXECUTIVE FORWARD WORK PROGRAMME

The Chair introduced the item for the Board's consideration. A copy of the Work Programme was attached at Appendix A and Members were asked to raise any issues they had in relation to any of the items listed.

A Board Member requested an advanced briefing in relation to the item on Cemetery Provision due to be considered by the Executive on 8 January 2025. The Director of Regeneration confirmed that he would circulate a briefing note on the issue, via Democratic Services.

AGREED that the Director of Regeneration would circulate a briefing note to the Board, in relation to 'Cemetery Provision', due to be considered by the Executive on 8 January 2025.

EXECUTIVE MEMBER UPDATE – DEPUTY MAYOR AND EXECUTIVE MEMBER FOR EDUCATION AND CULTURE

Councillor Storey, Deputy Mayor and Executive Member for Education and Culture, accompanied by the Director of Regeneration and the Director of Education and Partnerships, was in attendance at the meeting to provide the Board with an update regarding her portfolio in relation to Education and Culture.

As part of the Executive Member's portfolio in relation to Culture, the Board heard that this included strengthening the town's cultural sector through strong sector leadership with the Cultural partnership, liaising with the Regional Arts Council and funding bids.

There was a range of venues and museums within the cultural remit including Middlesbrough Town Hall, Middlesbrough Theatre, Newham Grange Leisure Farm and associated partnerships, Dorman Museum and Captain Cook Museum.

In addition, events such as the Orange Pip Market sat within the Culture remit, together with storage preservation and engagement delivered by Teesside Archives and a wide range of arts and music projects within arts development.

The Executive Member's priorities in relation to her culture portfolio were:-

- To extend the uses for the Town Hall.
- Extend Cultural ambassadors programme.
- Support music partnerships to achieve long term outcomes.
- Support Middlesbrough Art Week and NPO (National Portfolio Organisations) Partners.
- To make Middlesbrough the heart of artistic and community creativity.

During discussion, the following issues were raised:-

- In response to a query, the Board was advised that Teesside Archives was located within the Dorman Museum and services could be accessed by the public, however, it was generally best to book an appointment in advance if looking for specific documents.
- In response to a request for an update in relation to Captain Book Birthplace Museum, it was stated that a report was awaited in relation to proposals put forward from a private investor.
- Reference was made to the Executive Member's priority to extend the use of the Town Hall and it was queried whether examples could be provided. The Executive Member replied that she would like to see it being more widely used by commercial ventures and by community groups.
- Reference was made to the Orange Pip Market and it was queried whether there were any plans to extend it to Baker/Bedford Street, rather than holding it in just one of the streets as it could become crowded. The Executive Member advised that originally both streets were used for Orange Pip and also Centre Square, or the Town Hall during inclement weather. When it was held in just one of the streets that was usually due to there not being enough stalls to take up both streets.
- Further information was requested around the Cultural Ambassador's Programme and the Board was informed that the Council launched the programme to create a fund to help the creative sector continue to plan and deliver outstanding events across the town. This year partners from Holiday Inn Express, Leonardo Hotel, Teesside University and Stagecoach North East, had provided funding which organisations could tap into.
- A Member of the Board queried whether there were any plans to deliver bigger-scale cultural events with the Tees Valley Combined Authority. The Executive Member stated that she would love to link up with the TVCA but their focus was on the whole of the Tees Valley rather than just Middlesbrough.
- It was queried how many gigs had been held this year in Middlesbrough Town Hall and whether it had been used more this year than last year. The Executive Member responded that she

would obtain the information for Members and highlighted that due to roof restoration works planned last year, there had been a reduction in the number of gigs that could be held. However, the Town Hall Manager had worked incredibly hard to increase the number of bookings and it was anticipated that this would increase next year. In addition, the number of gigs depended on who was in the area at the time and it was highlighted that Stockton's Globe Theatre had impacted on the Town Hall to some extent.

In relation to her portfolio on Education, the Executive Member advised that this included:-

- Working with schools – to challenge and support them with their exclusion policies and promote inclusion; and driving strategies to improve outcomes for young people.
- Family Hubs – Supporting them to engage with families and break down barriers to access; and support the links between Health and Education.
- Youth Justice – to drive delivery of the Youth Justice Plan; and strengthen Partnerships to support delivery of shared agendas.

The Executive Member's priorities within this area were:-

- Supporting schools to improve attendance of all children, particularly the most vulnerable.
- Ensuring the build of Outwood Riverside.
- Supporting sixth form and college provision.
- Preventing young people from entering the Youth Justice system.
- Supporting child literacy.

****DECLARATION OF INTEREST**

At this point in the meeting, Councillor McClintock declared a non-pecuniary interest in relation to any discussion that may involve issues in relation to Middlesbrough College as he was a Governor at Middlesbrough College.

During discussion the following issues were raised:-

- A Member referred to Eton College announcing it was coming to Middlesbrough a few years ago and queried whether there was any movement on this. The Executive Member responded that she had concerns about the potential impact this might have on current sixth form provision in Middlesbrough as there were currently not enough sixth form teachers. A shortage of further education teachers was a national issue. Grant funding had been secured to encourage teachers to stay on longer at current sixth forms and an additional college may have a negative impact in terms of teaching provision. There had also been a decline in the numbers of students wanting to study academic subjects. There had been no further discussion as to whether they still planned to come to Middlesbrough.
- It was queried whether there was any progress on the new building for Outwood Riverside. The Executive Member advised that she had recently had a positive meeting with the Minister for Schools Capital and was hopeful that work would commence on the building in February 2025, subject to the planning process overseen by the MDC. In response to a further query, it was confirmed that Outwood Riverside was a school only and did not have a sixth form attached.
- It was queried whether there could be some cross-party support for working with the TVCA and the area health authority. The Executive Member advised that she had met with the North East Combined Authority to look at what they were doing. The NECA was acting outside of its remit to provide funding for benefit advisers to be placed in all primary schools in all of their local authority areas. It was highlighted that family hubs in Middlesbrough were doing a lot of good work but were limited as to what they could do within resources. It was suggested that OSB may want to consider writing to the TVCA asking them to look at some of the issues as Middlesbrough did not have financial ability to provide some of the additional services it would like to.
- Reference was made to the new rules on VAT for students and it was queried whether this affected any of Middlesbrough's schools/academies. It was highlighted that school fees for

private schools providing education and boarding services would be subject to the standard VAT rate (20%) from 1 January 2025. The local authority's education remit was up to the age of 16 and there were no private schools in Middlesbrough, however, there may be students living in Middlesbrough that attended private schools in other areas.

- It was queried how many schools in Middlesbrough were rated as outstanding by Ofsted. The Director of Education and Partnerships responded that all primary schools except one were rated as outstanding but that secondary schools were more of a mixed picture. League tables could be circulated if Members wished.
- In response to a query regarding sufficiency of school places, the Executive Member advised that there was currently sufficient provision for the number of children requiring them and that it was her number one priority to ensure that the Outwood Riverside school was built as soon as possible as children attending this provision were currently being transported daily to Eston. In response to a query regarding transport costs, it was confirmed that this was currently being financed by the DfE.
- It was queried whether there were any plans to establish additional family hubs. The Executive Member advised that she would like to see family hubs extended and the use of additional sites could potentially be explored providing funding could be secured.
- Reference was made to school exclusions and it was stated that whilst some were justified, many were imposed for trivial reasons such as wearing the wrong shoes. The Executive Member agreed that many academies lacked trauma informed care and that she had raised concerns with some schools regarding their disciplinary techniques and that this was something being worked on with the academies.
- A Member referred to alternative education provision and enquired what the cost was, per child and in total, to the Council for all Middlesbrough children attending such establishments. It was confirmed that alternative provision was not run by the Council and the cost did not come from the Council's core budget, however, the transport costs were covered by the Council. The Executive Member highlighted that there was a high proportion of children on EHCPs and those with additional needs in alternative provision and that she would strongly encourage the extra provision being put into mainstream schools to support as many children as possible within mainstream education and would prefer the local authority to have greater oversight.
- It was queried how many schools were Council controlled. The Director responded that there were currently eight Council-controlled primary schools, however, some were in the process of transferring to academies, and no Council-controlled secondary schools out of a total of 57 schools. It was highlighted that some special schools covered both primary and secondary ages and were Council-controlled.

The Chair thanked the Deputy Mayor and Executive Member for Education and Culture and the Directors for their attendance and the information provided.

AGREED that the presentation provided be noted.

FINAL REPORT – WASTE MANAGEMENT

Councillor Branson, Chair of the Place Scrutiny Panel, presented the Final Report on Waste Management. The review was undertaken by the former Environment Scrutiny Panel between September 2023 and March 2024, of which he was Vice Chair at the time, and the topic now fell within the remit of the Place Scrutiny Panel. The draft final report was considered by the Place Scrutiny Panel at an additional meeting on 23 September 2024. Members of the former Environment Scrutiny Panel were also invited to attend that meeting and, collectively, Members formulated conclusions and recommendations for inclusion in the report.

The purpose of the review was to examine waste management practices, focusing on how to increase recycling rates to meet targets whilst minimising the cost of waste disposal in Middlesbrough.

The terms of reference for the review were set out at paragraph three of the report together with the evidence gathered by the Panel during the course of the review.

The Panel's conclusions, based on the evidence gathered during the review, were detailed at page 36, paragraph 231. In summary the Panel found that Middlesbrough was not good at recycling and had one of the highest rates of residual waste collection per person - above the regional and national average. This was due to a number of factors including a high number of terraced properties using communal bins and not generating green waste for recycling. There were also issues with high levels of contaminated recycling.

The cost of residual waste disposal had continued to increase and was set to almost double by 2026. In comparison, disposal of recyclable waste was much cheaper, therefore, it was essential to reduce the amount of residual waste being sent for disposal and to increase recycling rates, whilst reducing contaminated recycling.

The Panel had also looked at fly-tipping and found that whilst it was a problem in Middlesbrough, levels were lower than in many other comparator areas. Middlesbrough had increased its enforcement activity in recent years.

During the course of discussion, the following issues were raised:-

- A Member of the Board welcomed the report and was happy to support the recommendations but noted that it largely related to residential waste and not public waste/waste bins. The Chair of Place Scrutiny Panel advised that as waste management was such a broad topic, this had not been considered as part of the terms of reference on this occasion.
- Reference was made to page 35 regarding the contractual arrangements for the new wheeled bins and in response to a query it was clarified that the £1,000 each micro-chip readers for the bins had been supplied free of charge as part of the contract.
- In relation to the £40 annual charge for green waste collections, assurances were sought that the charge would not be increased. It was confirmed that there were no plans to increase the charge and that the Mayor had confirmed at a recent Council meeting that there would be no increase for at least two years.
- In response to a question regarding tonnages collected using the new green waste system, the Director of Environment advised that figures were now starting to come through (as they were reported three months in arrears) and would be analysed to help identify where recycling needed to be increased. Current take-up of green waste collections was almost 50%.
- It was acknowledged that everyone needed to be more pro-active in terms of recycling but there was often confusion around knowing what could and could not be recycled, for example, coloured plastics. It was highlighted that it would be impossible to provide a list of every single item that could be recycled and that manufacturers were constantly developing the use of recyclable and compostable materials, but information could be provided as far as possible. Having a one bin system made it as easy as possible for households to recycle.
- A Member of the Board recognised one of the core recommendations was improvement in education and acknowledging that an exhaustive list of recyclable items could not be provided, and suggested that by default, advising householders to place any items they were doubtful about in the residual waste bin so that the recycling did not become contaminated.
- With regard to forthcoming food waste collections, it was confirmed that this would be introduced from April 2026 when it would become mandatory for Councils to provide the collection of food waste. Work had started on ordering the vehicles and the food caddies required and Middlesbrough was working with other local councils to provide a uniform system. This would be funded by Government.
- The Chair referred to a recent newspaper article in relation to potential health issues linked with incinerators and queried why this was the preferred method of disposal. The Director of Environment and Community Services responded that Middlesbrough was working with other local councils to build a new incinerator on land at Teesworks. The process was in the final procurement stages. This would be a modern facility also looking to use carbon capture. The recent reports regarding health were comparing incinerators to burning coal. Even if Middlesbrough could achieve a 50% recycling rate, it would still need a way to dispose of the remaining 50% of its rubbish and this was a much better option than sending to landfill. The new facility would create energy and use the most modern technology possible.

The Board was asked to consider the Scrutiny Panel's recommendations (page 38, paragraph 232, of the report), as follows:-

- A) To maximise participation in recycling, the Panel recommends that the Service area continues to work with experts in the field to develop a comprehensive communication and community engagement plan informing households about the changes that have taken place and future changes regarding all waste collections and how they can make a difference by recycling. This should include:-
- i) A video on the Council website and social media accounts showing what happens to our recycling, from collection to processing at the recycling plant, with clear information on each of the waste streams (recycling, residual, green waste and future food waste), which bin/receptacle materials should be placed in, together with details about how to access the green waste subscription service and bulky waste collections and associated charges.
 - ii) A clear, pictorial leaflet to be distributed to households (potentially with annual Council Tax bill), and made available in public buildings (community hubs, libraries, etc) illustrating which materials can be placed in each bin, and a list of items that cannot be recycled. This should be replicated on the Council's website, in a prominent location, and social media accounts, and also be made available in languages other than English.
- B) That the Service area develops a programme of education and outreach work with key partners, volunteers, and community groups, to tackle low recycling rates, contamination and fly-tipping in hot spot areas.
- C) That customer satisfaction, in relation to waste collection and recycling services (including green waste collection and bulky waste collections if applicable) be monitored through the Council's existing residents' survey. Feedback will assist the Service Area to monitor and evaluate outcomes such as identifying good practice and any recurrent issues.
- D) To review the Council's Green Strategy and relevant policies - particularly in relation to planning and new housing developments, to ensure that recycling and waste minimisation requirements are embedded, for example, ensuring all new housing developments are designed with the space and facilities (individual properties and communal) - to encourage sustainable waste management and promote recycling.
- E) That the environmental enforcement work being carried out be significantly increased and that a campaign be launched within the next 12 months to raise awareness around fly-tipping and the associated penalties, including information for householders around using only licensed waste carriers.
- F) That the Service Area provides the Scrutiny Panel with an update on progress in relation to all the recommendations, within the next 12 months.

ORDERED that the conclusions and recommendations, as set out above, be endorsed and referred to the Executive.

SCRUTINY WORK PROGRAMME 2024/25 – PEOPLE SCRUTINY PANEL

The Democratic Services Officer submitted a report seeking the Board's formal approval of the People Scrutiny Panel's Work Programme for 2024/25.

At its meeting on 16 September 2024, the People Scrutiny Panel agreed the following topics for inclusion in its Work Programme:-

In-depth reviews:

- Children Missing from Education.
- Homelessness.
- Obesity.

Updates:

- South Tees Safeguarding Children Partnership (STSCP).
- Teeswide Safeguarding Adults Board (TSAB).
- Medium Term Financial Plan Refresh for Children's Services and Environment and Adult Social Care and Health Integration Directorates.

Possible Updates:

- Children's Mental Health.
- Dental Recovery Progress.
- Special Allocation Scheme.
- Speech and Language CYP Services.

AGREED that the People Scrutiny Panel Work Programme for 2024/25, as set out above, be approved.

SCRUTINY CHAIRS' UPDATESPeople Scrutiny Panel

The Chair of the People Scrutiny Panel updated the Board that the Panel had met on 14 October 2024 when it agreed the terms of reference for its current review, 'Children Missing from Education'. It was clarified that the Panel was looking at a specific cohort – those missing from the school roll. The Panel also received a position update from the Director of Adult Social Care and Health Integration in relation to the Care Quality Commission (CQC) Inspection.

The Panel's next meeting was scheduled for 11 November 2024 and would receive further evidence in relation to its current scrutiny topic.

Place Scrutiny Panel

The Chair of the Place Scrutiny Panel updated the Board that the Panel met on 7 October 2024 and had received evidence in relation to its scrutiny topic 'Home to School Transport' from the Independent Travel Trainor. The Panel also heard from the Head of Resident and Business Support in relation to its other scrutiny topic of 'Empty Properties'.

Two Task and Finish Groups had been established to examine the scrutiny topics concurrently and terms of reference were being drafted for each.

The Panel's next meeting was scheduled for 4 November 2024 and would receive further evidence in relation to Empty Properties, regarding ethical lettings, and further evidence in relation to Home to School Transport.

AGREED that the information provided be noted.

ANY OTHER BUSINESSCommunity Cohesion Task and Finish Group

Councillor Branson updated the Board in relation to the Task and Finish Group established to look at Community Cohesion.

The Group had considered the Final Report in relation to the topic produced by the Culture and Communities Scrutiny Panel in 2021 and had subsequently met with the Head of Neighbourhoods to discuss the current position.

The Task and Finish Group was now looking to establish a meeting with the Cleveland Police and Crime Commissioner and the MP for Middlesbrough to discuss the disorder that took place in the summer. The Group would also look at the possibility of speaking to the Tees Valley Mayor.

NOTED