



Minutes of Parish Meeting Held Tuesday 31st May 2022 7pm at Middlesbrough Sports Village

Parish Councillors Present: Ros Davey, Mike Eccles, Morgan McClintock, Carol McArdle and Adrian Walker (Chair).

In attendance: Angela Livingstone (NPC Clerk) and 16 attendees.

Ian Wright, Middlesbrough Council Director of Finance (Section 151 Officer)

Louise Grabham, Middlesbrough Council Head of Strategic Commissioning & Procurement

1. INTRODUCTORY ITEMS

- 1.1 **To receive apologies and approve reasons for absence** – Apologies were received and accepted from Russ Lynch, Martin Lyon, Mieka Smiles and Wade Tovey. Apologies had also been sent by David Leyland and Ward Cllr Rathmell.

1.2 **Declaration of interest and register of interest**

The Chair stated that Nunthorpe Parish Council (NPC), Nunthorpe Community Council (NCC) and Trustees of the Institute all had an interest as they had been sponsoring the consortium bid. Mr Hayton, Chair of NMPFA was one of the residents present and informed that a number of the people present were from Nunthorpe and Marton Playing Fields Association (NMPFA) and had an interest in that bid.

2. NUNTHORPE COMMUNITY CENTRE

- 2.1 The Chair stated that the meeting was being held at the Sports Village as there were no appropriate community facilities in Nunthorpe. Mr Hayton stated that the meeting could have been held at NMPFA.

- 2.2 The Chair outlined the bidding process to date based on the requirements from MC and the recent correspondence from MC, he asked Mr Wright to advise at what point he became involved and why and why the process had been paused.

- 2.3 Mr Wright informed the responsibilities of his position and stated that he had been asked by a couple of people to look at the process. He stated that he didn't believe anyone had acted in bad faith or any improper practice. He felt that the council officers involved had been overly flexible and the process changed a couple of times, this left the process open to challenge and the award of the money would be open to challenge. He had taken the decision to pause and restart the process with a clear set of procedures, clear timeframes and expectations.

- 2.4 A councillor stated that both parties were asked to comply with clear well-defined processes and both parties had completed what was requested. He stated that the bid submitted by the consortium had been made public, however the NMPFA bid had not been made public. He questioned at what point the process was seen to have gone in the wrong direction. Mr Wright stated that this was when due diligence and quantity surveying had been included and the process had been changed. The Councillor questioned if it had been council officers and residents raising concerns. It was confirmed that there were residents involved who were not associated with the bids. It was questioned if Mr Wright would be aware if the persons raising concerns were members of NMPFA, Mr Wright stated he would not, but the concerns were not raised on the basis of them being members. He stated that concerns were raised by a mix of officers and residents.

- 2.5 It was questioned by a councillor if in exercising the powers did Mr Wright not feel that he needed to inform both parties what he was doing. Mr Wright stated that the first action was to pause the process and then start to engage with the groups. The Councillor stated that he did not understand the urgency to pause this and both parties could have been spoken with and informed of the problems to ensure transparency. He added that there were allegations made and in view of the investment both parties had put in, would it not have been best to speak with them as once Mr Wright exercised his duty there was no way to overturn it and nothing could have happened without his word. Mr Wright stated that judgements can be changed and nothing is final. The Councillor added that the letter had been taken as a slur on NMPFA or on the consortium bid process. Mr Wright stated his reiteration that no slur was intended. A resident Mr Foggin who was part of NCC stated that there were social media comments suggesting that there was a conflict of interest. Mr Hayton stated that he felt that there was a conflict with four of the people sitting on the Community centre

groups of the Vision group being part of the consortium bid. Mr Foggin reminded that the Vision group were not involved in any decision making. A member of the NMPFA stated that part of the procedure of the bidding was for the bids to go back to the Nunthorpe Vision group.

- 2.6 Mr Wright informed that he had not taken the decision lightly, he identified a fault, then stopped the process to be restarted. He agreed with the point that on reflection out of politeness he should have made contact and should have been clearer that there was no wrong doing, he reiterated that the fault was on the setting out of the process by council officers.
- 2.7 Mr Hayton stated that he had highlighted the issue as soon as the additional steps were introduced and objected to the Nunthorpe Vision group process. He stated that NPC taking the lead for the consortium bid was wrong and they should have been unbiased. A councillor stated that he did not understand the comments as NPC had not wanted to take on the onerous task but there had been no other choice. Mr Hayton informed that his objections had been ongoing for months and that the minutes from the Parish Council meeting in February showed that they had no understanding of what NMPFA were trying to achieve. Councillors objected to this as the minutes were public minutes which had been published and not corrected at the time, all involved had read the NMPFA bid and all discussions had stemmed from the wording within the bid.
- 2.8 A resident enquired where the process would go now and how democratic the process would be. There were discussions on the need for clarity on the process, but also alongside the legal requirements there were community requirements too. There had been no place for residents to meet for some time.
- 2.9 Ms Grabham informed that she was responsible for taking the process forward and would be looking to ensure the specification for the community centre was what the community had asked for. She added that she would not be looking to go back to consultation but would be looking at the information previously gathered. An attendee questioned if the Redcar & Cleveland side of Nunthorpe were to be consulted. Ms Grabham informed that she could speak with RCBC, MC had already consulted. Ms Grabham informed that she would put together a proposal pack which would be explicit, this would also involve the running and operation of the centre. A new evaluation panel would be put together and the process would be informed with a three-month timescale for completion. This would be fully auditable and the outcome reported back to Middlesbrough Council and the Towns Fund, all would be shown in the pack.
- 2.10 An attendee stated his concerns that if NMPFA won the bid the Recreation club would not open again. Mr Hayton reminded that the Recreation club was only a tenant.
- 2.11 A councillor stated that the letter received inviting to submit a bid talked as though only two bids were expected. Ms Grabham stated that as the process had been paused, they would be likely to only return to the two bids. She was still checking this matter.
- 2.12 An attendee questioned if there would be someone with knowledge of building a structure on the recreation club as part of the panel. It was informed that the evaluation was to look at information supplied and make a determination, they may seek points of clarification, they would not come back with debates.
- 2.13 A councillor mentioned the long history of the Institute and the problems faced, he stated the assumption that the money to rebuild was the towns fund grant and section 106 monies equalling a total of £910,000. As the process had paused and re-started and the process to date had been much longer than originally promised, plans had been for an application to be sent to planning by December 2021, and the value of the money available for the project had dropped, with inflation in the construction industry being astronomical. He questioned if the budget would be increased to compensate for the financial impact of the delay. Mr Wright stated that MC were aware of inflation and there would be an option for MC to top up the budget, this would be put to the Executive committee if required. A Councillor stated the need for both bidders to know what funds were available to ensure clarity. Mr Wright agreed that this was a fair point and he would ensure that this information was included in the pack.

- 2.14 A councillor stated that he was troubled with the process with various debating steps, he reminded of the hard work that people had done and that there was no idea how much of the bid document would need to change, he suggested that there should be spare time in the timescale for a buffer to enable a proper response. Ms Grabham commented that she was hopeful that this would not be too much of an extra burden. In response to a further question, she assured that there would be clear guidance notes and more details alike procurement process.
- 2.15 Ms Grabham informed in response to challenge that MC would normally when looking at a community centre build determine the site themselves then select an operator to run the site, in this scenario there were two different sites. A councillor stated his surprise that MC had departed so far from normal procedure. He reminded that the consortium never asked for the procedure, only for a community centre for residents, this had been awaited since 1983. Mr Hayton stated that NMPFA did not want to go down the process of where the site was and getting involved with Nunthorpe Vision. He stated that Mr Tovey had spearheaded the Nunthorpe Vision group to get groups together and see what groups wanted. It was confirmed that Nunthorpe Vision had been formed to look at what Nunthorpe residents wanted, the Community Centre had been the first item and had side-tracked everything else.
- 2.16 An attendee stated that in attempting to move on for each submission, in the normal sense the bidder who wins the contract would implement the running of the centre. He questioned who would own the centre who would run this and what they would offer the community. It was advised that the parties entering the bids would run the centre and offer what was available.
- 2.17 An attendee stated that everyone was aware of the horrendous parking problems at the Recreation club and questioned the parking if additional facilities were made available at the site. A councillor stated that part of the bidding process required both parties to explain the parking available. He stated his confusion rising from what seemed to be two different groups from the Recreation club and NMPFA. Mr Hayton informed that the Recreation club were not privy to what NMPFA were trying to achieve as they were a tenant. The councillor commented that the Recreation club area could change to a Community Centre.
- 2.18 The Chair questioned if the bids would be made public to ensure that everyone was aware of what was happening as this seemed lacking at present. It was advised that this would be possible at the end of the process if both parties agreed, but the bids would not be available to see until after a decision. There could be no interference or comments or skewing of opinion. Mr Hayton stated that part of their bid had third party involvement and was therefore confidential. An attendee stated that he was a part of the club and had no involvement. Mr Hayton responded that residents also did not get involved with the consortium bid. Mr Hayton was reminded that all Parish Council meetings were public to allow awareness of local information and to be advised of any matters. The Parish Council advertised the meetings and published the minutes from these. More Parish Councillors were welcome and the attendance of a greater number of residents. Mr Hayton responded that the majority of the members of the club were aware of what was happening and there was no division.
- 2.18 A councillor questioned Ms Grabham regarding the wording in the letter received which indicated a conflict of interest. He stated that he did not believe there was any conflicts. Ms Grabham stated that she did not believe there were any but needed to be clear on transparency to ensure that the process stood up to any challenge and would be fully auditable. The councillor reminded that conflicts of interest had been highlighted as a reason for the pause in the process as mentioned on a number of posts by people within Nunthorpe. Comments were made from attendees regarding the same people being part of a number of different groups and the nature of the group was not reflected in the bid. It was reminded that the bid was by the NCC, NPC and the Institute, which the Parish Council had been asked to take a lead on. Ms Grabham stated that due to comments made the revised process would not be going through Nunthorpe Vision. The process included the need to abstain from social media comments. If completed as required there would be a successful outcome at the end of the three months. A councillor reminded that residents and the press

were able to attend the Parish Council meetings and the reporter who regularly attended was free to report on the details of the meetings.

- 2.19 A councillor stated that there had been some level of shock by the communications received which had been in contrast to the discussions held at today's meeting, there had been no inappropriate conduct or slurs directed to either party. He asked Mr Wright if he was prepared to clarify this in writing. Mr Wright agreed to send this clarification by email to the original people emailed.
- 2.20 The Chair gave his thanks to MC officers for their attendance at the meeting and for the information given.

Attendees left the meeting and the consortium bid was discussed in closed session as this was a sensitive funding matter.

To progress way forward for the Community Facility

The Clerk was asked to draft a letter thanking the officers for attending and stating reservations in getting involved in a second bidding process. This would be progressed via email between the consortium members and a letter would be agreed in the next few days.

3. Date, time, and items for next meeting – 21st July 2022 7pm

Signed Date