

GATESHEAD METROPOLITAN BOROUGH COUNCIL

CABINET MEETING

Tuesday, 16 October 2018

PRESENT: Councillor M Gannon

Councillors: C Donovan, M Brain, A Douglas, M Foy,
L Green, G Haley, J McElroy and M McNestry

C59 **APOLOGIES FOR ABSENCE**

Apologies for absence have been received from Councillor J Adams.

C60 **MINUTES**

The minutes of the last meeting held on 18 September 2018 were approved as a correct record and signed by the Chair.

C61 **GO GATESHEAD SPORT AND LEISURE - CAPITAL PROGRAMME DEVELOPMENTS**

Consideration has been given to capital programme developments at Gateshead International Stadium and Blaydon Leisure and Primary Care Centre.

- RESOLVED -
- (i) That the progression of the projects at Gateshead International Stadium and Blaydon Leisure and Primary Care Centre, as detailed in the report be approved.
 - (ii) That the Appointment of Robinson Low Francis Ltd (RLF) as the Principal Designer and Project Manager via the Football Foundation Framework be approved and the Strategic Director, Corporate Services and Governance be authorised to agree the terms and conditions of the appointment, together with any variations that may be required during the projects.
 - (iii) That the awards and entering into contracts with the successful companies following a tender process (carried out by RLF through the Football Foundation framework) to deliver the schemes be approved, subject to the approval of the terms and conditions by the Strategic Director, Corporate Services and Governance in accordance with the Constitution.
 - (iv) That acceptance of external funding from the Football Foundation and Sport England (if successful) to help finance the projects be approved, subject to acceptance of the terms and conditions of the funding.

- (v) That the Strategic Director, Corporate Resources following consultation with the Strategic Director, Corporate Services and Governance, be authorised to formally accept the Football Foundation and Sport England awards and associated terms and conditions.

The above decisions have been made for the following reasons:

- (A) To support the recommendations of the Gateshead Sport Strategy documents, most notably the outcomes associated with the current Gateshead Football Plan.
- (B) To improve access to sport and leisure provision for the residents of Gateshead.
- (C) To support the sustainability of the Go Gateshead Sport and Leisure facility portfolio.

C62

TENDERS FOR THE SUPPLY OF GOODS AND SERVICES

Consideration has been given to tenders received for Mobile Voice and Data Services.

RESOLVED - That that the tender received from Telefonica UK Limited (O2) be accepted for the Contract for Mobile Voice and Data Services for an initial period of 60 months with the option to extend for a further 2 x 12 month periods.

The above decision has been made because a comprehensive evaluation of the tenders received has been undertaken and the accepted tender is the most economically advantageous tender submitted.

C63

GATESHEAD PRIVATE SECTOR HOUSING ENFORCEMENT POLICY

Consideration has been given to recommending the Council to approve the Gateshead Private Sector Housing Enforcement Policy.

RESOLVED - That the Council be recommended to approve:

- (i) the Gateshead Private Sector Housing Enforcement Policy as set out in appendix 2 to the report;
- (ii) the use of the above provisions of the Housing and Planning Act 2016, that seek to tackle the rogue landlords and property agents who knowingly rent out unsafe and substandard accommodation; and
- (iii) that the Council's Constitution is amended to include a delegation to the Service Director, Development, Transport and Public Protection to implement the above provisions on behalf of the Council.

The above decisions have been made for the following reasons:

- (A) The Council has a duty to comply with the new legislation.
- (B) To enable the use of the powers to tackle the poor standard and management of rented homes and to provide the Council with an alternative to prosecution.
- (C) Use of the powers will protect tenants, discourage unscrupulous behaviour by landlords and complement other interventions and public and private investment in neighbourhoods where there are high concentrations of private rented homes.

C64

MANDATORY LICENSING OF HOUSES IN MULTIPLE OCCUPATION POLICY

Consideration has been given to recommending the Council to approve a revised Houses in Multiple Occupation (HMO) policy, setting out how the law relating to HMOs will be implemented in Gateshead.

RESOLVED - That the Council be recommended to:

- (i) approve the revised HMO Policy as set out in appendix 2 to the report, that sets out how the Mandatory Licensing of Houses in Multiple Occupation will be implemented in Gateshead;
- (ii) approve an amendment to the Council's Constitution to include a delegation to the Service Director, Development, Transport and Public Protection to have responsibility for implementing the provisions of The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018, and the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 in Gateshead; and
- (iii) Approve the reviewed HMO licence fee structure as set out in appendix 1 to the report.

The above decisions have been made for the following reasons:

- (A) The Council has a duty to effectively implement the Mandatory Licensing of HMOs in the Borough.
- (B) Implementation of Mandatory HMO Licensing protects vulnerable tenants against unscrupulous landlords and communities against the impact of badly managed HMOs.

C65

LOCAL DIGITAL DECLARATION

Consideration has been given to recommending the Council to sign the Ministry of Housing, Communities and Local Government and the Government Digital Service Local Digital Declaration.

RESOLVED - That the Council be recommended to endorse and sign the Local Digital Declaration.

The above decision has been made to ensure that the Council is able to access the support and funding required to deliver good digital public services that meet best practice and standards.

C66 TREASURY MANAGEMENT PERFORMANCE TO 30 SEPTEMBER 2018

Consideration has been given to a review of Treasury Management performance for the six months to 30 September 2018, covering investments and borrowing.

RESOLVED - That the Treasury Management Performance to 30 September 2018 be noted.

The above decision has been made to contribute to sound financial management and the long-term financial sustainability of the Council.

C67 ANNUAL FOSTERING AND ADOPTION SERVICES REPORTS 2017-18

Consideration has been given to the Fostering and Adoption Services Annual Reports for 2017/18.

RESOLVED - That the Fostering and Adoption Services Annual Reports for 2017/18 be endorsed.

The above decisions have been made for the following reasons:

- (A) To ensure that the needs of children, young people and families continue to be met.
- (B) To ensure the most effective use of resources and alignment of programmes.
- (C) To ensure the Council fulfils its statutory duties.

C68 RE-APPOINTMENT OF A LOCAL AUTHORITY GOVERNOR

Consideration has been given to the re-appointment of Councillor M Hall as a local authority governor on the Cedars Academy.

- RESOLVED -
- (i) That Councillor M Hall be re-appointed as a local authority governor on the Cedars Academy for a period of four years with effect from 17 September 2018.
 - (ii) That it be noted the term of office is determined by the Academy's Articles of Association.

The above decision has been made to ensure the Academy has full membership.

C69

DRAFT HOUSING STRATEGY 2019-2030

Consideration has been given to the draft Housing Strategy and to undertaking consultation upon it.

- RESOLVED -
- (i) That the draft Strategy form the basis for public consultation, for a period of six weeks, the period to run as soon as possible.
 - (ii) That the principle methods of consultation to be the Council's Consultation Portal and use of Council News.
 - (iii) That further consultation with Councillors to be held through a Members' Seminar and Corporate Advisory Group meetings as required.
 - (iv) That a final draft of the Strategy to be submitted to Cabinet following completion of the consultation.

The above decisions have been made to ensure appropriate and wide consultation on the draft strategy is held and to allow Cabinet to consider possible revisions to the draft strategy in the light of feedback from the consultation.

C70

GATESHEAD LOCAL PLAN - MAKING SPACES FOR GROWING PLACES (MSGP) (DEVELOPMENT MANAGEMENT POLICIES, ALLOCATIONS AND DESIGNATIONS) - SUBMISSION DRAFT

Consideration has been given to publishing the Making Spaces for Growing Places (MSGP) Submission Draft Local Plan document; MSGP Policies Map and the Plan's supporting evidence base.

- RESOLVED -
- (i) That the publication for consultation of the MSGP Submission Draft Local Plan document be approved.
 - (ii) That the publication for consultation of the Submission Draft MSGP Policies Map be approved.
 - (iii) That the publication for consultation of the Plan's supporting evidence base, including an updated Strategic Housing Land Availability Assessment (SHLAA) and Employment Land Review (ELR), and a new Viability and Deliverability Report be approved.
 - (iv) That the Service Director, Development, Transport and Public Protection, following consultation with the Cabinet Members for Environment & Transport, Housing and Economy, be authorised to make any changes necessary to MSGP and supporting documentation for public consultation.
 - (v) That the Service Director, Development, Transport and Public Protection, following consultation with the Cabinet Members for Environment & Transport, Housing and Economy, be

authorised to prepare Duty to Co-operate statements and enter into a Memorandum of Understanding with surrounding authorities.

The above decisions have been made to progress the development of the Gateshead Local Plan as required by government policy and statutory obligations under Planning and Compulsory Purchase Act 2004, Localism Act 2011 and Town and Country Planning (Local Plans) Regulations 2012 (as amended).

C71

GATESHEAD THRIVE FUND 2018/19 ROUND ONE APPLICATIONS

Consideration has been given to the recommendations of the Gateshead Thrive Fund Advisory Group in relation to Round 1 applications for funding from the Fund and Sporting Grants to Individuals/Talented Athlete Scheme.

- RESOLVED -
- (i) That the recommendations for Round 1 of The Gateshead Thrive Fund, as set out in appendices 2 and 3 to the report be approved.
 - (ii) That the recommendations for Sporting Grants to Individuals/Talented Athlete Scheme as set out in appendix 2 to the report be approved.
 - (iii) That the proposal from the Advisory Group regarding the Talented Athlete/Sporting Grants applications process as set out in the report be approved.

The above decisions have been made for the following reasons:

- (A) To ensure that the Gateshead Thrive Fund is used to maximise benefits to local communities and is managed effectively.
- (B) To build capacity and sustainability in voluntary and community organisations in Gateshead.

(Councillors M Brain and C Donovan declared personal and non pecuniary interests in the above matter due to their connections with organisations recommended for funding and withdrew from the meeting whilst the matter was under consideration).

C72

PROPERTY MANAGEMENT REPORT

Consideration has been given to surplus declarations of Council property and to the surrender and award of new leases of Council property.

- RESOLVED -
- (i) That Tynedale House Promoting Independence Centre, Ryton, be declared surplus to the Council's requirements.
 - (ii) That Felling Park Depot, Holly Hill, Felling, be declared surplus to the Council's requirements.
 - (iii) That the surrender of the current leases of Site 6b Saltmeadows Road, from Tyne & Wear Fire and Rescue ("the

Tenant”); the re-grant of a 125 year lease to Tyne & Wear Fire and Rescue on the terms outlined in appendix 3 to the report be approved and the Strategic Director, Corporate Services and Governance be authorised to agree the detailed terms.

- (iv) That the surrender and renewal of the current lease of Site 9 South Shore Road, East Gateshead Industrial Estate from Cool Designs Limited (“the Tenant”); the grant of a new lease for a term of 125 years to the Tenant on the terms outlined in appendix 4 to the report be approved and the Strategic Director, Corporate Services and Governance be authorised to agree the detailed terms.

The above decisions have been made to manage resources and rationalise the Council’s assets in line with the Corporate Asset Strategy and Management Plan.

(Councillor G Haley declared a personal and non pecuniary interest in the lease of Site 6b Saltmeadows Road because he represents the Council on the Tyne and Wear Fire and Rescue Authority and withdrew from the meeting whilst the matter was under consideration).

C73 PETITIONS SCHEDULE

Consideration has been given to an update on petitions submitted to the Council and the action taken on them.

RESOLVED - That the petitions received and action taken on them be noted.

The above decision has been made to inform the Cabinet of the progress of the petitions.

C74 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED - That the press and public be excluded from the meeting during consideration of the remaining business in accordance with paragraph 3 of Schedule 12A to the Local Government Act 1972.

C75 SPECULATIVE OFFICE DEVELOPMENT IN BALTIC QUARTER

Consideration has been given to the provision of additional capital expenditure on the Speculative Office development in Baltic Quarter, following submission of final costs by Willmott Dixon Construction Ltd and the inclusion of additional costs for contract award.

RESOLVED - That the revised Capital Programme allocation for the Speculative Office development as detailed in the report be approved.

The above decision has been made for the following reasons:

- (A) To stimulate development in one of Gateshead’s primary employment areas – Baltic Business Quarter; and assist in the

process of driving rents upwards to a level at which the private sector can re-enter the market.

- (B) To provide Grade A* office accommodation to meet evidenced demand for office space in the Gateshead and Newcastle Urban Core.
- (C) To ensure that there is a range of accommodation options, including move on space, to meet the needs of existing tenants, growing indigenous businesses and inward investors, thereby capturing and retaining companies and employment opportunities of up to 500 jobs within Gateshead.
- (D) To maximise income from Business Rates, within the ADZ, and creating an income generating asset for the Council, delivering a profit over its lifetime.
- (E) To give confidence to the market that the Council is committed to creating the right environment in Gateshead in which businesses can grow and prosper.
- (F) To demonstrate that the Council, as a developer, can deliver a distinctive and high quality product to the market, establishing the Gateshead Quays / Baltic Business Quarter area as a viable business location of choice for end users.
- (G) To utilise the Council's land and property portfolio to support the Council's policy priorities in accordance with the provisions of the Council's Corporate Asset Strategy and Management Plan 2015 – 2020.

C76

ACCELERATED CONSTRUCTION PROGRAMME - EXPRESSION OF INTEREST FOR FUNDING

Consideration has been given to an update on the Expression of Interest for funding for Accelerated Construction made to Homes England last year and to the acceptance of the funding offer in principle from Homes England.

- RESOLVED -
- (i) That the acceptance of the funding offer in respect of the Kelvin Grove, Askew Road West, Clasper Village and Exemplar Neighbourhood (Freight Depot) sites be approved in principle, subject to further consultation with Homes England and where appropriate, the Council's existing developer partners, to understand the viability position of each site.
 - (ii) That the Service Director, Development, Transport & Public Protection, following consultation with the Strategic Director, Corporate Resources and Strategic Director, Corporate Services & Governance, be authorised to approve the terms of the funding offer for each site
 - (iii) That where appropriate, the use of Homes England Delivery Partner Panel 3 framework to assist the Council in selecting a

preferred developer to bring forward development on the relevant sites be approved.

- (iv) That further detailed reports be submitted to Cabinet relating to the disposal of each of the sites and the proposed delivery approach.

The above decisions have been made for the following reasons:

- (A) To promote the accelerated delivery of homes within the Borough.
- (B) To enable the development of sites which are currently stalled due to viability and associated remediation costs.
- (C) To help meet housing need in the Borough.
- (D) To realise the Council's policies and objectives in relation to Thrive and housing growth.

C77

NEW GIBSIDE SPECIAL SCHOOL - CONSULTANT APPOINTMENT

Consideration has been given to endorsing the action taken by the Service Director, Council Housing, Design and Technical Services in entering into a consultancy contract with Perfect Circle JV Limited to assist the design development of the proposed New Gibside Special School, and to provide a delegation to allow further activities by project stage if required.

- RESOLVED -
- (i) That the action taken by Service Director, Council Housing, Design and Technical Services to enter into a contract dated 19 January 2018 with Perfect Circle JV Limited to inform the scheme and estimate reported to Cabinet in June 2018 be endorsed.
 - (ii) That the Service Director, Council Housing, Design and Technical Services be authorised to instruct further activities by project stage as may be necessary under the above consultant appointment, including if appropriate, the novation of the appointed consultant to the selected SCAPE Major Works Framework contractor, following consultation with the Strategic Director, Corporate Resources and subject to approval of any contracts or contract variations by the Strategic Director, Corporate Services and Governance in accordance with the Constitution.

The above decisions have been made for the following reasons:

- (A) To establish costs to deliver the new school.
- (B) To achieve the construction programme to deliver the increased pupil places.

GATESHEAD FOOTBALL CLUB

Consideration has been given to an arrangement to settle historic debt owed to the Council by Gateshead Football Club.

- RESOLVED -
- (i) That the settlement arrangement with the Football Club as detailed in the report be approved.
 - (ii) That the proposal to agree a new license arrangement with the Football Club as detailed in the report be approved.

The above decisions have been made to enable the development of an agreement which is fit for purpose and provides a clear approach to the financial relationship between the two parties in the future.

Copies of all reports and appendices referred to in these minutes are available online and in the minute file. Please note access restrictions apply for exempt business as defined by the Access to Information Act.

The decisions referred to in these minutes will come into force and be implemented after the expiry of 3 working days after the publication date of the minutes identified below unless the matters are 'called in'.

Publication date: DeadlinePubminutes

Chair.....