

GATESHEAD METROPOLITAN BOROUGH COUNCIL

CABINET MEETING

Tuesday, 19 July 2022

PRESENT: Councillor M Gannon in the Chair

Councillors: C Donovan, J Adams, M Brain, A Douglas,
G Haley, J McElroy, M McNestry and B Oliphant

Also in attendance: Councillors R Beadle and JC Wallace

C21 **APOLOGIES FOR ABSENCE**

An apology for absence has been received from Councillor L Green.

C22 **MINUTES**

The minutes of the last meeting held on 21 June 2022 were agreed as a correct record and signed by the Chair.

C23 **THE CLEAN AIR ZONE FOR NEWCASTLE AND GATESHEAD - DELIVERY PLAN**

Consideration has been given to an update on the position with government following the submission in September 2021 of a plan for a Clean Air Zone Class C (CAZ) and a bid for funding to support a package of mitigation and support measures with a full business case and to proposed changes to the delivery strategy, draft legal order and exemption policy.

The alternative option to that being recommended, but which has been discounted, included not having a phased implementation approach.

- RESOLVED -
- (i) That a revised timetable for scheme implementation as set out in the report, given the delay in approval of the Full Business Case be approved.
 - (ii) That a phased approach to the implementation of the Clean Air Zone, deferring introduction of daily charges for light goods vehicles until July 2023 be approved, noting that this approach is not yet formally agreed by government
 - (iii) That the following local exemptions not previously approved: light goods vehicles (until July 2023); rail replacement buses and coaches; bus and HGV driver training vehicles; hackney carriage, private hire vehicles and LGVs belonging to residents residing within the Clean Air Zone; and hybrid vehicles and the delegation of authority to the Joint Committee overseeing the

Clean Air Zone to make further exemptions as considered appropriate, be approved.

- (iv) That the form of the draft Charging Order previously approved by Cabinet be updated to incorporate the changes to the approach and exemptions set out in (i) to (iii) above and accordingly the following be approved:
 - a) to agree, jointly with the Newcastle City Council, to make the Charging Order incorporating such amendments identified above (and also incorporating any further amendments referred to in (b) below);
 - b) to delegate authority to the Strategic Director, Economy, Innovation and Growth, in consultation with the Leader of the Council and Cabinet member for Environment and Transport, to make any non-material changes to the Charging Order on behalf of Gateshead Council (and to note that such changes would also be needed to be agreed by Newcastle City Council) before it is made; and
 - c) to authorise, in accordance with the Council's constitution, the sealing and dating of the Charging Order incorporating any changes which are made as in accordance with (ii) and (iii) above.
- (v) That it be noted Newcastle City Council will delegate authority to their Director of Place to enter into a decision, following a full procurement exercise, to award a contract to a panel of finance providers who will assist in the administration and issue of support grants provided to Gateshead Council and Newcastle City Council by Government.

The above decision has been made to enable the delivery of a Clean Air Zone to bring nitrogen dioxide air pollution within Gateshead and Newcastle within legal limits.

C24

UK SHARED PROSPERITY FUND

Consideration has been given to arrangements in respect of the UK Shared Prosperity Fund and to the prioritised list of interventions for Gateshead.

- RESOLVED -
- (i) That the proposal for the Council to act as 'lead authority' for these funds and to establish appropriate governance arrangements be approved.
 - (ii) That the establishment of a Local Partnership Group be noted.
 - (iii) That a further report be submitted to Cabinet on Multiply and the Multiply Investment Plan.
 - (iv) That the submission of an Investment Plan to the Department for Levelling Up, Housing and Communities (DLUHC) for prioritising resources required to deliver the funding bids be

approved.

- (v) That the Strategic Director, Economy Innovation and Growth, in consultation with the Strategic Directors, Resources & Digital, and Corporate Services & Governance, and the Leader of the Council and relevant Cabinet members be given delegated authority to agree the Investment Plan, set in place arrangements to deliver the Plan and terms of a Memorandum of Understanding with DLUHC.

The above decisions have been made for the following reasons:

- (A) To enable access to monies from the UK Shared Prosperity Fund to deliver the Council's priorities and to benefit local residents and businesses.
- (B) To pursue opportunities to influence and collaborate with local authorities within the region.
- (C) To enable successful delivery of activity in Gateshead that will contribute to local priorities.

C25 **REVIEW OF THE CONSTITUTION**

Consideration has been given to recommending the Council to approve an amendment to the Constitution.

- RESOLVED -
- (i) That the Council be recommended to approve the proposed amendment to the Constitution, increasing the threshold for a key decision from the current in excess of £250,000 to in excess £500,000, as set out in appendix 2 to the report.
 - (ii) That consideration of the proposed amendment in relation to the Common Seal of the Council be deferred to allow further consultation to take place.

The above decisions have been taken to ensure that the Constitution remains fit for purpose and that its aims and principles are given effect.

C26 **TREASURY ANNUAL REPORT 2021/22**

Consideration has been given to recommending the Council to approve the Treasury Annual Report for 2021/22.

- RESOLVED -
- That the Council be recommended to approve the Treasury Annual Report for 2021/22.

The above decision has been made to ensure that the Council fully complies with the requirements of Financial Regulations and good practice as recommended by the Chartered Institute of Public Finance and Accountancy (CIPFA) in its Code of Practice on Treasury Management.

C27

CAPITAL PROGRAMME AND PRUDENTIAL INDICATORS 2022/23 - FIRST QUARTER REVIEW

Consideration has been given to the latest position on the 2022/23 Capital Programme and Prudential Indicators at the end of the first quarter to 30 June 2022.

- RESOLVED -
- (i) That the Council be recommended to agree all variations to the 2022/23 Capital Programme as detailed in appendix 2 to the report.
 - (ii) That the Council be recommended to approve the financing of the revised programme as set out in the report.
 - (iii) That it be confirmed to Council capital expenditure and financing requirements have been revised in line with the amended budget and none of the approved Prudential Indicators set for 2022/23 have been breached.
 - (iv) That the Strategic Director, Economy, Innovation and Growth, in consultation with the Strategic Director, Corporate Services and Governance and the Strategic Director, Resources and Digital be given delegated authority for the negotiation and approval of the tender and contract award for the floodlighting works at Gateshead International Stadium within the agreed capital programme allocation of £0.5m.

The above decisions have been made for the following reasons:

- (A) To ensure the optimum use of the Council's capital resources in 2022/23.
- (B) To accommodate changes to the Council's in-year capital expenditure plans.
- (C) To ensure performance has been assessed against the approved Prudential Limits.
- (D) In respect of (iv) above, to allow the contract for the works to be entered into and works completed prior to the start of the new football season.

C28

REVENUE BUDGET - FIRST QUARTER REVIEW 2022/23

Consideration has been given to the latest monitoring position on the 2022/23 revenue budget at the end of the first quarter to 30 June 2022.

- RESOLVED -
- (i) That the Council's revenue expenditure position at the end of the first quarter, as set out in appendices 1 and 2 be noted.
 - (ii) That the budget virement as set out in the report be noted.

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

C29 **PERFORMANCE MANAGEMENT AND IMPROVEMENT FRAMEWORK - YEAR END REPORT 2021-22**

Consideration has been given to the year-end 2021/22 assessment of performance against the Council's Performance Management and Improvement Framework (PMIF) along with the recommendations made by Overview and Scrutiny Committees for improvement.

- RESOLVED -
- (i) That the 2021/22 year-end performance report as set out in appendix 2 to the report and the key themes from the Council's Overview and Scrutiny Committees be approved.
 - (ii) That the areas and actions identified by Overview and Scrutiny Committees and the proposed changes to measures as set out in the report be approved.

The above decisions have been made to ensure performance supports the delivery and achievements of Making Gateshead a Place Where Everyone Thrives.

C30 **APPOINTMENT TO THE TYNE AND WEAR ARCHIVES AND MUSEUMS STRATEGIC BOARD**

Consideration has been given to the appointment a member to the Tyne and Wear Archives and Museums Strategic Board.

- RESOLVED -
- That Councillor Daniel Weatherley be appointed to the "rotating member" position on the Tyne and Wear Archives and Museums Strategic Board for the period 1 September 2022 to 31 August 2023.

The above decision has been made to ensure that the Council has full representation on the Strategic Board.

C31 **APPROVAL OF SCHEMES, ESTIMATES, TENDERS AND CONSENTS DURING THE SUMMER RECESS**

Consideration has been given to:

- a) the Strategic Directors, Economy, Innovation and Growth and Housing, Environment and Healthy Communities and Service Leads, Major Projects and Corporate Property, following consultation with the Strategic Directors, Corporate Resources and Digital and Corporate Services and Governance, being authorised to jointly approve schemes and estimates, and to invite and accept tenders over certain thresholds, during the summer recess following the Cabinet meeting on 19 July 2022 up to the date when Cabinet next meets (currently scheduled for 13 September 2022); and

- b) the Chief Executive, following consultation with the Leader of the Council and in accordance with the terms of the lease between the Council and North Music Trust (dated 30 July 2019) exercising the Council's authority as landlord to give consent to the renaming of Sage Gateshead.

- RESOLVED - (i) That the Strategic Director, Economy, Innovation and Growth and the Service Director, Housing, Environment and Healthy Communities and Service Leads, Major Projects and Corporate Property, in consultation with the Strategic Directors, Resources and Digital and Corporate Services and Governance, be authorised to jointly approve the letting of any contracts relating to the Cabinet-approved 2022/2023 Capital Works Programme which exceed £250,000 in value. Such approval is to be in the form of either:
- a) an authorisation to invite or negotiate tenders in accordance with Rule 6 of the Contract Procedure Rules ("the Rules") or to conduct some other procurement process in accordance with the Rules and to award the contract to the economic operator submitting the most economically advantageous tender as determined by the Service Director, Corporate Commissioning and Procurement in accordance with the stated terms of the tender or other process and, where applicable, the Regulations; or
 - b) an authorisation subsequent to the conduct of a tendering process or other procurement process in accordance with the Rules to award the contract.
- (ii) That the Chief Executive be authorised to exercise on behalf of the Council delegated authority to grant consent under Schedule III paragraph 7.6 of the lease dated 30 July 2019 between the Council and the North Music Trust for a change of name for the premises demised under the lease and known as Sage Gateshead.

The above decisions have been made to enable projects to progress and to avoid delay in delivery of the capital programme and its related expenditure and to enable timely consent to be granted for a new name for Sage Gateshead, if so requested by the North Music Trust.

C32 **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 paragraphs 3 and 4 of Schedule 12A to the Local Government Act 1972.

C33 **GATESHEAD QUAYS UPDATE**

Consideration has been given to an update on the Gateshead Quays regeneration

scheme (The Sage Arena and Conference Centre and hotel).

- RESOLVED -
- (i) That the alternate design and value engineering work that Ask Real Estate and Patrizia UK (A&P) and their design team have proposed, to reduce costs, with the objective of delivering a viable scheme, as set out in the report be approved.
 - (ii) That the underwriting of the cost of the technical design works through to the submission of a revised planning application, at an estimated cost of the amount set out in the report and the amendment of the Development Agreement accordingly as set out in the report be approved.
 - (iii) That the intended submission of the Levelling Up Fund (LUF) 2 Bid to Government be noted.

The above decisions have been made for the following reasons:

- (A) To bring forward the regeneration of Gateshead Quays, which supports the Council's aspiration of making Gateshead a place where everyone thrives.
- (B) To reaffirm the commitment to invest in the local economy to provide sustainable opportunities for employment, innovation and growth across the borough.
- (C) To maintain momentum on the scheme, signal confidence in the local economy which is important as part of the delivery of the Economic Development Strategy.

C34

JOINT LOCAL AGREEMENT (CONSTRUCTION SERVICES TRADE OPERATIVES) REVIEW

Consideration has been given to recommending the Council to approve a revised Joint Local Agreement (JLA) with Construction Services Trade Operatives.

- RESOLVED -
- That the Council be recommended to approve the revised Joint Local Agreement (JLA) with Construction Services Trade Operatives as set out in the report.

The above decision has been made for the following reasons:

- (A) To significantly improve, at pace, the repairs and maintenance service and ultimately improve customer satisfaction.
- (B) To provide a competitive and fair salary structure for construction services trade operatives.
- (C) To ensure the Council complies with the regulatory standards as required by the Regulator of Social Housing.

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: 21 June 2022

Chair.....