

**EXECUTIVE SUB-COMMITTEE FOR PROPERTY**

A meeting of the Executive Sub-Committee for Property was held on 10 April 2014.

**PRESENT:****13/97 MINUTES OF MEETING HELD ON 5 MARCH 2014**

That the minutes of the Executive Sub Committee for Property held on the 5 March 2014 were taken as read and signed by the chair as a true record.

**13/98 COMMUNITY SERVICES REVIEW - 123 BOROUGH ROAD – MY SISTER’S PLACE**

The Executive Director of Neighbourhood and Communities submitted a report that presented the business case for the Community Asset Transfer of 123 Borough Road to My Sister's Place. The report sought approval for the transfer to proceed.

The key points of the My Sister's Place business plan are as follows:

- that the Charity will continue to assume responsibility for the buildings financial management and upkeep without any tapered subsidy from the Council;
- that the delivery of accessible, effective, specialist services that are informed and evaluated by service users' experiences promoting individual freedom and quality of life will continue to be available to the local population;
- that the Charity will continue to work with the local population through education and community involvement to create a cultural shift in attitudes towards domestic abuse and better equip families to protect their members; and,
- that the Charity will source new external sources of funding to maintain and develop services provided by My Sister's Place.

My Sister's Place has produced a draft Strategic Plan that identifies funding streams moving forward and also avenues in which it can provide improved services and also expand from its current service base. It also recognises and identifies potential sources of income generation from services that they currently provide.

My Sister's Place are aware that as part of any asset transfer of 123 Borough Road there is no obligation for the Council to continue with any revenue support which is currently received throughout the 25 year lease term. Any revenue support which My Sister's Place currently receives will be subject to review when the funding term expires.

**ORDERED**

1. **That the Executive Sub-Committee for Property approves the transfer of 123 Borough Road to My Sister's Place on a 25 year peppercorn lease.**

**REASON**

**The decision was supported by the following reason:**

**To contribute to a robust Voluntary Community and Social Enterprise sector and to ensure the contribution of a valuable service to the residents of Middlesbrough and surrounding areas.**

**13/99 THE OLD TOWN HALL AND CLOCK TOWER**

The Executive Director of Neighbourhoods and Communities submitted a report which gave information on a proposal to provide an "option" for the possible leasing of the Old Town Hall in St. Hilda's to Tees Valley Community Foundation, for its restoration, refurbishment and future use.

The Council has been approached by the Tees Valley Community Foundation (TVCF) with a proposal to restore the building as an investment project on behalf of the Foundation. Currently TVCF have considerable resources under management, and would now like to invest in local initiatives and get a broader social return, as well as a return on their investment.

It is proposed that TVCF could invest a considerable amount to a regeneration project, where the finished scheme could bring a return. It is anticipated that TVCF could use their own resources to bring in other match funding from other sources. The initial proposal is that the building will be used for office use and workspace. TVCF would manage the building, and depending on the type and amount of grant support the proposal may attract, the finished building could offer office and/or start up incubator space. TVCF would expect that such a programme would create, and protect, a number of job opportunities depending on the scale of the completed building.

TVCF would require the Council to provide a one year lock out arrangement with TVCF for the building, which will allow the security of exclusive rights to progress their proposal, with a repair and maintenance leasehold arrangement proposed, on a "peppercorn" rental basis over a period of a minimum of 25 years, this period being a minimum requirement of both the proposed funders.

TVCF's proposal is at a very early stage, with projected timescales of discussion with other interested agencies and the development of the proposal spread through 2014/15.

The building is presently a major liability to the Council and its capital programme, especially due to its historic and listed status, with no other real options or commercial interest for its future use and maintenance. The costs of renovation and re-use are anticipated to be in excess of £1m.

#### **ORDERED**

- 1. that a one year lock out arrangement to the Tees Valley Community Foundation for the building, which will allow exclusive rights to progress their proposal. This will be renewable for a further year if it is demonstrated that progress is being made in developing the scheme; and,**
- 2. that, subject to a satisfactory scheme being developed, the Council will lease the building for 25 years at a peppercorn rent on a full repairing and insurance (FRI) basis", this period being a minimum requirement of the proposed funders.**

#### **REASON**

**The decision was supported by the following reasons:**

- 1. success of this proposal would see the resultant restoration of a building of major importance in Middlesbrough's history and heritage, subsequently improving the image and future potential of the Middlehaven Regeneration site;**
- 2. refurbishment of this Grade 2 listed building would remove the future liability and resultant major financial implications to the Council and its capital programme, and provide additional income from the future business rates from TVCF;**
- 3. success of this proposal would see TVCF as the Accountable Body with HLF, therefore no financial liability to the Council. A contract would be between HLF and TVCF, therefore repayment of the grant would not default to the Council.**

13/100

#### **GAS SAFETY MANAGEMENT**

The Executive Director of Neighbourhood and Communities submitted a report which set out the Council's approach to gas safety management and the adoption of a revised corporate policy in respect of this issue.

Any work undertaken on gas appliances must be undertaken by law via a 'Gas Safe Registered' operative. The Health and Safety Executive oversees this process and could take out enforcement/prosecution where the legislation has been breached.

All of these provisions are covered by the Gas Safety (Installation and Use) Regulations 1998 and practical guidance is provided by the Approved Code of Practice (ACOP). The Approved Code of Practice requires that the Council ensure that all work on gas appliances be undertaken by a 'Gas Safe Registered' operative.

Corporate Asset Management is responsible for the Council's 'Corporate Asset Portfolio', with Middlesbrough Council Property Services being responsible for the role of Client Agent and Delivery Agent. Property Services has Gas Safe Registration and fully complies with the legislation in terms of Gas Safety (Installation and Use) Regulations 1998. Where Property Services does not have the capacity to do the work, they employ Gas Safe Registered companies to undertake the work. As well as ensuring that the Council fully satisfies itself that it employs genuine Gas Safe Registered contractors and obtains and collates the necessary test/maintenance documentation, it needs to have in place a robust quality assurance programme to ensure compliance.

Schools and Academies procure their own maintenance contracts, which include servicing of gas appliances and pipework. However the Corporate Asset Management team is responsible for ensuring the schools are in compliance, so is therefore in the process of providing each school with an information pack.

#### **ORDERED**

- 1. that the Council adopts the revised Corporate Gas Policy as set out in Appendix 1;**
- 2. that both corporate and education properties are monitored by the Corporate Asset Management Team to ensure service dates are maintained and work is undertaken by suitably qualified Gas Safe Engineers, in accordance with the Corporate Gas Policy;**
- 3. that the Council agrees to hold/monitor gas certification documentation centrally;**
- 4. that an independent quality assurance programme is set up across the Council to ensure gas work is carried out by Gas Safe Registered engineers and the work is to an acceptable standard.**

#### **REASON**

The decision was supported by the following reasons:

- 1. to ensure that the Council fully dispenses its duties under the Gas Safety (Intallational and Use) Regulations 1998;**
- 2. to ensure that the Council has in place a comprehensive policy, procedures and systems to manage and mitigate the risks;**
- 3. such an approach is in accordance with best practice in terms of asset management and the use of resources.**