



Transport North East (Tyne and Wear) Sub-Committee

Tuesday 29th July, 2014, following the conclusion of the Transport North East Committee

Meeting to be held: Committee Room, Newcastle Civic Centre, NE1 8QH

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AGENDA

Page No

1. **Appointment of Chair and Vice-Chair for the Municipal Year 2014/15**

Members are requested to note the intention to circulate the above report on a supplemental agenda in accordance with the provisions of the Local Government (Access to Information) Act 1985

2. **Apologies for Absence**

3. **Declarations of Interest**

Please remember to declare any personal interest where appropriate both verbally and by recording it on the relevant form (to be handed to the Democratic Services Officer). Please also remember to leave the meeting where any personal interest requires this.

4. **Minutes of the Previous Meeting**

1 - 2

5. **Bus Strategy Delivery Project Update**

3 - 14

6. **Assignment of the lease of land at Strawberry Place, Newcastle Upon Tyne**

15 - 20

7. **Date and Time of Next Meeting**

September 2014 at North Tyneside Council. Date and time to be confirmed.

Contact Officer: Victoria Miller Tel: 0191 211 5118 E-mail: victoria.miller@newcastle.gov.uk

To All Members

Transport North East (Tyne and Wear) Sub-Committee

29 May 2014

Meeting held: Committee Room, Civic Centre, Newcastle upon Tyne, NE1 8QH

Present:

Councillor: McCarty (Chair)

Councillors: Blackburn, Foreman, Hobson, Lott and McElroy

1 **APPOINTMENT OF CHAIR FOR THE PURPOSE OF THE MEETING**

RESOLVED – That Councillor McCarty be appointed as Chair for the purpose of this meeting.

2 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

4 **APPOINTMENT OF CHAIR AND VICE-CHAIR**

Submitted: A report of the Monitoring Officer (previously circulated and copy attached to Official Minutes).

The report invited members to appoint its Chair and Vice-Chair for the Municipal Year 2014/15.

RESOLVED – That the appointment of Chair and Vice-Chair of the Committee be deferred until a future meeting held after the Annual General Meetings of the Constituent Authorities have taken place.

5 **TRANSPORT POLICY UPDATE**

Submitted: A report of the Lead Chief Executive for Transport (previously circulated and copy attached to Official Minutes).

Members considered the report which outlined some of the key transport issues and opportunities currently applicable to Tyne and Wear.

During the ensuing discussion, it was confirmed that the best and final partnership offer by the bus operators had been received, albeit later than 16 May 2014.

In relation to funding from the Government for the Metro asset Renewal Plan, it was noted that by spring 2015 it should be known when the funding for years 7 to 11 would become available.

Members commented on the large agenda before them and the magnitude of tasks and challenges, including financial. Members also commented on the importance of robust governance arrangements in order to continue to oversee various functions, including the Tyne Tunnels. It was noted that overall strategic issues, including decisions on strategic investment, rested with North East Leadership Board.

RESOLVED – That the Committee:

- (i) noted the current issues that were relevant to the transport agenda for Tyne and Wear within the responsibility of the Combined Authority;
- (ii) noted that the Transport North East Committee had delegated a number of transport functions to the Transport North East (Tyne and Wear) Sub-Committee; and
- (iii) noted the process that was being pursued to determine the relative merits of a Quality Contract or Voluntary Partnership approach to bus services.

6 **DATE AND TIME OF NEXT MEETING**

The next meeting will be held on 29 July 2014 following the conclusion of the Transport North East Committee.

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Transport North East (Tyne and Wear) Sub-Committee

DATE: 29th July 2014

SUBJECT: Bus Strategy Delivery Project Update

REPORT OF: The Lead Officer for Transport

EXECUTIVE SUMMARY

The purpose of this report is to provide a background briefing on the Bus Strategy Delivery Project, and to inform members on the process that is intended to take place over coming months to determine a way forward.

RECOMMENDATIONS

Members are asked note the background information contained in this report, and to agree to receive a further report at the September meeting of this Sub-Committee as set out in paragraph 5.4, in order to inform its decision to make any appropriate recommendation(s) to the North East Leadership Board regarding the creation and development of a Quality Contract Scheme or a Voluntary Partnership Agreement.

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1 Background to the Bus Strategy

- 1.1 Buses are essential to the economic and social wellbeing of the Combined Authority area and although Tyne and Wear has historically had very high levels of bus usage and a relatively well-performing bus network, a long-term and marked decline in bus patronage alongside significant pressure on the availability of public funding have led to a review of how bus services are planned, funded and delivered.
- 1.2 The Policy Update report to the Transport North East Committee on 29th May 2014 described how Nexus is currently developing and evaluating alternative mechanisms for improving bus services in accordance with the Bus Strategy. The Bus Strategy sets out the key issues and challenges for the Combined Authority to improve the bus network in Tyne and Wear, having been originally developed by the ITA.
- 1.3 In Tyne and Wear there were just over 139.6 million recorded passenger trips taken by bus in 2012/13 (78.3% of all public transport trips)¹. Of these, 33% were to access employment or education, 31% for shopping and access to essential services, and 36% for leisure or other activities. Durham accounted for an additional 23.8 million bus trips and Northumberland for 9.2 million trips.
- 1.4 According to the Department for Transport's National Travel Survey, the North East in 2012/13 continued to have the lowest levels of car ownership of any English region (except London)². According to bus patronage data, Tyne and Wear had the highest number of local bus trips per person per year (111) of almost any part of the UK in the same year, exceeded only by London, Nottingham and Brighton and Hove³. This emphasises the crucial importance of buses to local people and the local economy.
- 1.5 In the UK, with the exceptions of Northern Ireland and London, bus services were "deregulated" under the Transport Act 1985. Subject to certain safety and quality standards, bus operators decide which services to run, the fares to charge and other such matters, without recourse to the local authority. Local authorities have powers to supplement these services—filling gaps in the

¹ <https://www.gov.uk/government/statistical-data-sets/bus01-local-bus-passenger-journeys> Table BUS0109b

² <https://www.gov.uk/government/statistical-data-sets/nts99-travel-by-region-and-area-type-of-residence> Table NTS9902

³ <https://www.gov.uk/government/statistical-data-sets/bus01-local-bus-passenger-journeys> Table BUS0110a

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commercial network—by inviting tenders for supported services (known as ‘secured services’ or ‘tendered services’).

- 1.6 Local commercial bus service provision in the Combined Authority area is currently provided almost exclusively by three operators – Go North East, Stagecoach and Arriva. Within Tyne and Wear overall mileage operated breaks down as follows: Go North East 50%, Stagecoach 37%, Arriva 11% and small operators 2%⁴. 10% of this mileage is operated as Nexus tendered services. These service contracts are operated by all three main operators plus a number of smaller operators.
- 1.7 The day-to-day performance of the local bus system in Tyne and Wear is relatively good compared to other parts of the UK; levels of punctuality and reliability are high, and surveys of customers carried out by Passenger Focus record high levels of customer satisfaction with their journey compared to elsewhere in the UK – the last survey showed satisfaction in Tyne and Wear of 90%⁵. It should however be noted that Passenger Focus surveys passengers who are travelling on the day the survey is undertaken, and so by their very nature do not take account of the views of people who do not use the bus to travel. The average age of the local bus fleet is 7.7 years (compared to a non-London UK average of 8.3 years).
- 1.8 Despite this, some fundamental issues threaten the long-term future of the local bus network and its benefit to the local economy. Patronage has been declining for many years, and Nexus’ future projections based on long-term trends show that this is set to continue; and the withdrawal of non-profitable routes or sections of route have contributed to a reduction in accessibility to local jobs and services over time.
- 1.9 The high propensity to use local buses masks a trend of people switching between bus and car usage. Between 2001 and 2011, the number of people using the bus to travel to work in Tyne and Wear fell by 13% according to the 2011 Census, and over the same time period the number of adult fare-paying journeys on buses fell by 16%⁶. Despite the relatively high utilisation of buses in the North East at 74 trips per head of population in 2011/12, this is down from 84 trips per head in 2004 when over the same period car utilisation grew from 371 to 381 trips per head⁷.

⁴ Nexus Continuous Monitoring data

⁵ Passenger Focus, Bus Passenger Survey 2013

⁶ Nexus Continuous Monitoring data

⁷ <https://www.gov.uk/government/statistical-data-sets/nts99-travel-by-region-and-area-type-of-residence> Table NTS9903

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- 1.10 The Combined Authority has an objective to improve transport integration, which includes ticketing and greater use of technology to benefit passengers. The NESTI Project, in which the Combined Authority is a partner, has developed a smart infrastructure on public transport across North East England. However at this stage the development of a simple range of smart ticketing products to cover public transport across the Combined Authority area has not taken place, in part due to commercial considerations.
- 1.11 Customer satisfaction with value for money is 62%⁸. Each bus company has its own range of fares valid for travel on its own services, and in addition Network One has a separate range of higher-priced multi-modal fares. The English National Concessionary Travel Scheme provides free off-peak travel for older and disabled people (accounting for 33% of bus trips), and in Tyne and Wear children below the age of 16 are entitled to a heavily discounted fare. There is no concessionary product for young people over the age of 16 or students, although there are a variety of discounted products for these passengers offered on a commercial basis.
- 1.12 In all, £65.5 million of public funding is spent each year on maintaining the bus network in Tyne and Wear, estimated at approximately 42% of total bus operator income. Nevertheless local bus operations are profitable; it is estimated, based on operators' most recent published accounts, that a 14% EBIT operating margin is earned on average.
- 1.13 Of the public funding, the Tyne and Wear levy funds payments for secured (tendered) bus services (approximately £15 million) and concessionary travel (approximately £40.5 million), largely Nexus' statutory obligation to reimburse bus operators for the carriage of elderly and disabled passengers under the English National Concessionary Travel Scheme (ENCTS), and the Under 16 concessionary travel scheme. In addition, Bus Services Operating Grant ('BSOG') is paid by the Department for Transport, estimated at approximately £10 million).
- 1.14 With significant pressure on local funding availability as a result of national funding cuts, reductions in discretionary tendered services and subsidised fares have become widespread across the country in recent years. In Tyne and Wear Nexus' medium term financial strategy involves absorbing the impacts of reduced funding by using reserves in order to avoid cuts in service in the short term, while seeking alternative savings. This position is clearly

⁸ Passenger Focus, Bus Passenger Survey 2013

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unsustainable after 2015/16 and unless existing services can be delivered for less, cuts to those services are highly likely to follow.

- 1.15 Metro is funded by a combination of farebox revenue and direct grant from the DfT, and the English National Concessionary Travel Scheme places a statutory requirement upon Nexus to reimburse to operators for the carriage of elderly and disabled passengers. Therefore any cuts would fall almost entirely on locally-determined services such as secured bus services (which includes scholars' services), the under 16 concessionary travel scheme (which unlike the ENCTS is discretionary), and the Shields Ferry.
- 1.16 Taking account of the importance of the local bus network, and the trends in patronage, accessibility and public expenditure, the Tyne and Wear ITA in 2012 adopted a Bus Strategy with three key objectives:
- Arrest the decline in bus patronage;
 - Maintain (and preferably grow) accessibility; and
 - Deliver better value for public money.

A series of specific deliverables was identified, which if successfully put in place would achieve the objectives of the Bus Strategy.

2 Bus Strategy Delivery Project (BSDP)

- 2.1 In November 2011 the Tyne and Wear ITA instructed Nexus to prepare a draft Quality Contracts Scheme (QCS), and also to explore the scope for a meaningful quality bus partnership (see below for definitions). It was then intended that the ITA would consider both options during 2012, and then determine the appropriate course of action to follow, although in practice this took place in July 2013.
- 2.2 In order to manage the process requested by the ITA, Nexus set up the Bus Strategy Delivery Project (BSDP). The BSDP has been resourced using a dedicated expert team, made up mainly of internal secondments and supported by external advisers where required.
- 2.3 The main tasks of the Nexus BSDP team are to develop a QCS, to work with NEBOA to develop a quality bus partnership, and to analyse and compare the two options so that the Combined Authority can make a well-informed choice over how to proceed.

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- 2.4 These tasks are expected to be completed this summer, and further direction will be sought from the North East Leaders' Board before any significant additional expenditure is incurred in the project.

3 Voluntary Partnership Agreement (VPA) development process

- 3.1 The Local Transport Act (2008) created the statutory concept of a Voluntary Partnership Agreement (VPA). A VPA is a particular type of quality bus partnership, in which local transport authorities undertake to provide particular facilities, or to do anything else for the purpose of bringing benefits to persons using local services, and one or more operators of local services undertake to provide services to a particular standard. A VMA, or Voluntary Multi-operator Agreement, is a VPA that involves two or more bus operators and one or more local authority(/ies).
- 3.2 Two areas of Tyne and Wear are covered by existing VPAs: East Gateshead and South Tyneside. The East Gateshead Quality Bus Partnership comprises Go North East, Nexus and Gateshead Council. South Tyneside is covered by two geographically overlapping VPAs, one comprising South Tyneside Council, Nexus and Stagecoach, the other with Go North East. The VPAs set out a number of commitments that each party agrees to, including some aspects of service standards and their management, for example a commitment from operators to consult the Partnership Board in respect of network changes in advance of registering these with the Traffic Commissioner.
- 3.3 Noteworthy examples of VPAs in operation elsewhere in the UK are in Sheffield (see <http://www.travelsouthyorkshire.com/sbp/>), and Oxford (see <https://www.oxfordshire.gov.uk/cms/content/quality-bus-partnerships>).
- 3.4 In response to the creation of the BSDP, the North East Bus Operators' Association (NEBOA) was founded in 2012. Membership of NEBOA is open to any local bus operator, and Go North East, Stagecoach and Arriva are all active members. NEBOA's objectives include the development of one or more VPAs to cover Tyne and Wear, Northumberland and Durham.
- 3.5 In the VPA proposal that is being developed, the Combined Authority and the three main local bus operators would co-operate to achieve service stability and improvements for passengers across the Tyne and Wear area, and some of the impact of public spending reductions would be mitigated by close working with bus operators. Other bus operators would be free to join the

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VPA but are not currently proposed by NEBOA to be signatories from the outset.

- 3.6 The VPA proposal has evolved through the period since creation of the BSDP; a first proposal was put forward by NEBOA in July 2013, a revised version in December 2013, and the latest proposal was provided in May 2014. Numerous meetings have been held between Combined Authority Officers and NEBOA to jointly develop and clarify the VPA; NEBOA has also highlighted a desire to present the VPA to elected members and Chief Executives ahead of any formal decision by the Combined Authority.

4 Quality Contracts Scheme (QCS) development process

- 4.1 Under the QCS being developed, the Combined Authority would introduce a type of franchising system in Tyne and Wear to set fare levels, timetables and customer service standards, and operators would compete for contracts to operate services following a defined specification set by the Combined Authority.
- 4.2 Having carried out an earlier feasibility study to establish the high-level principles of developing a QCS, Nexus produced a working draft of a QCS Proposal in 2012. Bearing in mind that moving to a contracting system would have a major effect on the current local bus operators, Nexus entered into informal dialogue with them and other stakeholders. The outcome of that dialogue led to some changes in approach, and informed the development of the formal QCS Proposal in 2013.
- 4.3 Having weighed up the relative merits of both the QCS Proposal and the VPA, the ITA resolved in July 2013 to begin formal consultation over the QCS Proposal and issued directions and guidance to Nexus to conduct the process on its behalf from 30th July 2013 to 5th November 2013 (although this period was extended at the request of consultees to 22nd November 2013). In light of some aspects of the consultation feedback received, Nexus considered that a limited number of potential changes to the QCS Proposal may be appropriate, and so it carried out a supplemental consultation exercise in respect of those proposed changes between 9th April 2014 and 4th June 2014.
- 4.4 Nexus is now in the process of finalising the proposed QCS and supporting documentation, taking account of consultation feedback where appropriate.
- 4.5 Although the QCS as proposed incorporates the vast majority of local bus services currently operating in and through Tyne and Wear, a large number of

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those buses also serve communities in Durham and Northumberland. As the QCS would cover Tyne and Wear only, those services would operate as tendered services when in Durham and Northumberland. This gives rise to a number of practical and commercial risks in addition to some opportunities, and in order to manage those risks equitably and transparently a 'Collaboration Agreement' has been developed in draft by Nexus along with officers from Durham and Northumberland. Whilst it would not be practically possible to expand the currently proposed QCS to cover other parts of the Combined Authority's area at this stage in the consultation process primarily because of the timescales involved, there may be potential to develop a larger QCS at a later stage if that proves to be the appropriate course of action in line with any development of the Combined Authority's transport strategies.

5 Next Steps

- 5.1 The Combined Authority's constitution sets out that the approval of (and any amendment to or withdrawal of) Quality Contract Schemes and/or Voluntary Partnership Agreements is a function reserved to the North East Leadership Board (NELB). It is therefore intended that both the VPA and the QCS proposals will be reported to NELB at its scheduled meeting set for 21st October 2014, along with a detailed analysis comparing the two, for the NELB to determine what next steps, if any, to take in their development.
- 5.2 It is anticipated that the report to NELB will be made up of three distinct component parts as follows:-
- a) Proposed VPA
 - b) Proposed QCS, comprising:
 - i. The Scheme document
 - ii. Analysis of affordability and delivery risk
 - iii. Analysis of Public Interest Criteria
 - iv. Quality Assurance statement from Systra Ltd
 - v. Counsel's opinion(s).
 - c) Recommendation from the Lead Transport Officer to the Combined Authority, incorporating comparative analysis of the VPA and QCS.
- 5.3 Clearly there will be a sizeable quantity of information for members of the committees to review and consider. Briefings will be provided in advance for officers of the Combined Authority and District Councils so that they are in a

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position to provide information, clarify and explanation to members where required.

- 5.4 Furthermore the function of considering and recommending to NELB the creation and development of Quality Contract Schemes and/or Voluntary Partnership Agreements for the Tyne and Wear area has been delegated to the Transport North East (Tyne and Wear) Sub-committee (TWSC). It is therefore intended that the proposed QCS and proposed VPA be considered by TWSC at its scheduled meeting set for 11th September 2014, in order for it to make any appropriate recommendation(s) to NELB. A report will also be presented to TNEC on 9th October 2014 in order for any cross boundary matters to be considered.
- 5.5 If the Combined Authority concludes that it wishes to proceed with the proposed QCS without further amendment, a series of steps defined in the Transport Act 2000 (as amended) must be followed. The first step is to send the proposed Scheme and supporting information to the QCS Board, an independent Board appointed by the Secretary of State for Transport, whose remit is to form an opinion whether the relevant statutory public interest criteria are met, and whether the statutory notice and consultation requirements have been met.
- 5.6 If on the other hand the Combined Authority wishes to move forward with the principles of the VPA, further development of the document may be required in order for it to be considered sufficient as a legal agreement. Nevertheless, the partnership principles could be adopted informally at fairly short notice.

6 Potential Impact on Objectives

- 6.1 The Combined Authority, when considering in future whether to create a Quality Contracts Scheme or to enter into a Voluntary Partnership Agreement, would do so taking into account the likely achievement of its Bus Strategy and wider objectives.

7 Finance and Other Resources

- 7.1 No financial implications flow directly from this report, however any future decision by the Combined Authority to either enter into a Voluntary Partnership Agreement or to progress the introduction of a Quality Contracts Scheme would have a significant impact on the financial management of the Combined Authority, the affordability of the services Nexus procures and

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delivers on its behalf, and the resources required to deliver them. These impacts will be identified in the report to be presented to the Sub-Committee in September 2014.

8 Legal

- 8.1 As set out in 5.5 above, if the Combined Authority concludes that it wishes to proceed with the introduction of a QCS, a series of legal steps defined in the Transport Act 2000 (as amended) must be followed. In order to proceed in this, the Combined Authority would wish to be assured that the Scheme as proposed is compliant with relevant aspects of UK law, in particular that the Scheme meets the tests set out in section 124 of the Transport Act 2000 (as amended) and that the development process (including statutory consultation) was valid.
- 8.2 In addition any Scheme must be compliant with European Law, and must consider Article 1 of the First Protocol to the European Convention on Human Rights (known as "A1P1") in terms of the application of the Scheme.
- 8.3 To assist in this regard, the proposed QCS will be accompanied by an opinion on the Scheme's legality from Counsel which will take account of both UK law and the European Convention on Human Rights.
- 8.4 If the Combined Authority concludes that it wishes to proceed with the introduction of a VPA, it will need to ensure that that any such agreement is compliant with competition law and satisfies the Part 1 Competition Test in Schedule 10 to the Transport Act 2000
- 8.5 In addition, entry into a VPA could place restrictions and/or obligations upon the Combined Authority which will need to be carefully considered. For example there may be restrictions upon the future development of a QCS, and/or obligations for future bus funding streams to be maintained. If the Combined Authority is in breach or default of such restrictions or obligations, the agreement may be terminated.

9 Other Considerations

9.1 Consultation/Community Engagement

The proposed QCS has been subject to substantial formal and informal consultation, as set out in paragraphs 4.2 and 4.3. In addition, a public information campaign was carried out in parallel to the statutory consultation, from July to November 2013. For information on the consultation and engagement, please see Nexus' website:

<http://www.nexus.org.uk/busstrategy>

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The VPA proposals from NEBOA have also been made available to the public through the Nexus website.

9.2 Human Rights

Please see paragraph 8.2.

9.3 Equalities and Diversity

There are no implications for equalities and diversity arising directly from this report, but the results of future decisions on bus services may have an impact and so would need to be subject to the appropriate impact assessments being carried out.

9.4 Risk Management

The risks of introducing a QCS, a VPA, or indeed taking no action, will be considered in the report to be presented to this Sub-Committee in September.

9.5 Crime and Disorder

There are no implications for crime and disorder arising directly from this report.

9.6 Environment and Sustainability

No environment or sustainability implications flow directly from this report, however any future decision by the Combined Authority to either enter into a Voluntary Partnership Agreement or to progress the introduction of a Quality Contracts Scheme has the potential to impact on the both the environmental performance of the bus system itself, and the effects of changes in bus ridership on the local highways network. These impacts will be identified in the reports to be presented in September and October 2014.

10 Background Documents

10.1 The Bus Strategy for Tyne and Wear

10.2 NEBOA VPA proposal

10.3 QCS Consultation materials

All background documents available at

<http://www.nexus.org.uk/busstrategy>

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11 Links to Plans in the Policy Framework

- 11.1 The Bus Strategy is part of the Local Transport Plan for Tyne and Wear.
- 11.2 Improving transport connectivity and reducing carbon emitted by transport are objectives of the Strategic Economic Plan.

12 Contact Officers

- 12.1 Tobyn Hughes,
Deputy Director General, Nexus
Email: tobyn.hughes@nexus.org.uk
Tel: 0191 2033246

13 Sign off

- Head of Paid Service ✓
- Monitoring Officer ✓
- Chief Finance Officer ✓

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Transport North East (Tyne and Wear) Sub-Committee

DATE: 29 July 2014

SUBJECT: Assignment of the lease of land at Strawberry Place,
Newcastle Upon Tyne

REPORT OF: Director of Finance and Resources, Nexus

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Transport North East (Tyne and Wear) Sub-Committee (TWSC) for the assignment of the lease of land at Strawberry Place, Newcastle Upon Tyne to Morgan Sindall Investments Limited.

RECOMMENDATIONS

It is recommended that the Committee agree to the assignment of the lease of land at Strawberry Place, Newcastle Upon Tyne to Morgan Sindall Investments Limited.

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1 Background Information

- 1.1 Nexus is the freehold owner of land around St James' Metro Station shown edged red on the plan attached to this report. Following a competitive market procurement exercise Newcastle United Football Club (the tenant) paid Nexus a capital sum of £2.5m and were granted a 125 year lease at a peppercorn rent. The provisions of the lease enable the tenant to assign the benefit of the lease to a third party subject to Nexus consent which 'cannot be unreasonably withheld'.
- 1.2 In around October 2013 Newcastle based agents Storey, Edward, Simmons were instructed by the tenant to advertise the 'site' for sale to the open market with a view to a developer purchasing the balance of the long lease to enable them to develop the site (subject to planning permission).
- 1.3 Following that tendering exercise Nexus have been informed that the successful developer is Morgan Sindall Investments Limited and the tenant has formally requested that Nexus consent to the assignment and the tenant has undertaken the usual checks (including financial) to ensure that the proposed assignee is able to carry out its obligations under the terms of the lease. They have confirmed to Nexus that on the basis of the information provided consent should be given to the proposed assignment.
- 1.4 Under the Transport Act 1968 Nexus must obtain consent of the Integrated Transport Authority to any disposal of land. The powers of the Integrated Transport Authority have now passed to the Combined Authority and the power to authorise disposal of Nexus land has been delegated to the Tyne and Wear Sub-Committee.
- 1.5 Notwithstanding any consent to the assignment Nexus must be satisfied that any future development of the site does not adversely impact upon Metro passenger services and in addition any subsequent development is subject to usual planning approvals. At this stage only consent to the assignment is requested.

2 Proposals

- 2.1 TWSC is recommended to approve the assignment of the lease of land at Strawberry Place, Newcastle Upon Tyne to Morgan Sindall Investments Limited.

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3 Next Steps

- 3.1 Following approval by TWSC, Nexus will provide consent to the proposed assignment.

4 Potential Impact on Objectives

- 4.1 Neutral.

5 Finance and Other Resources

- 5.1 The legal costs of Nexus will be met by the tenant.

6 Legal

- 6.1 The legal implications in respect of the assignment of the lease of land are outlined in the report and there are no other specific implications arising from this report.

7 Other Considerations

7.1 Consultation/Community Engagement

There are no specific consultation/community engagement considerations arising from this report.

7.2 Human Rights

There are no specific human rights considerations arising from this report.

7.3 Equalities and Diversity

There are no specific equalities and diversity considerations arising from this report.

7.4 Risk Management

There are no specific risk management considerations arising from this report.

7.5 Crime and Disorder

There are no specific crime and disorder considerations arising from this report.

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7.6 Environment and Sustainability

There are no specific environment and sustainability considerations arising from this report.

8 Background Documents

- 8.1 The Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority Constitution April 2014;

Part 3.3 Transport North East (Tyne and Wear) Sub-Committee (TWSC) Responsibility for Functions.

9 Links to Plans in the Policy Framework

- 9.1 This report has no direct links to plans in the Policy Framework.

10 Appendices

- 10.1 Appendix showing site boundary of land at Strawberry Place.

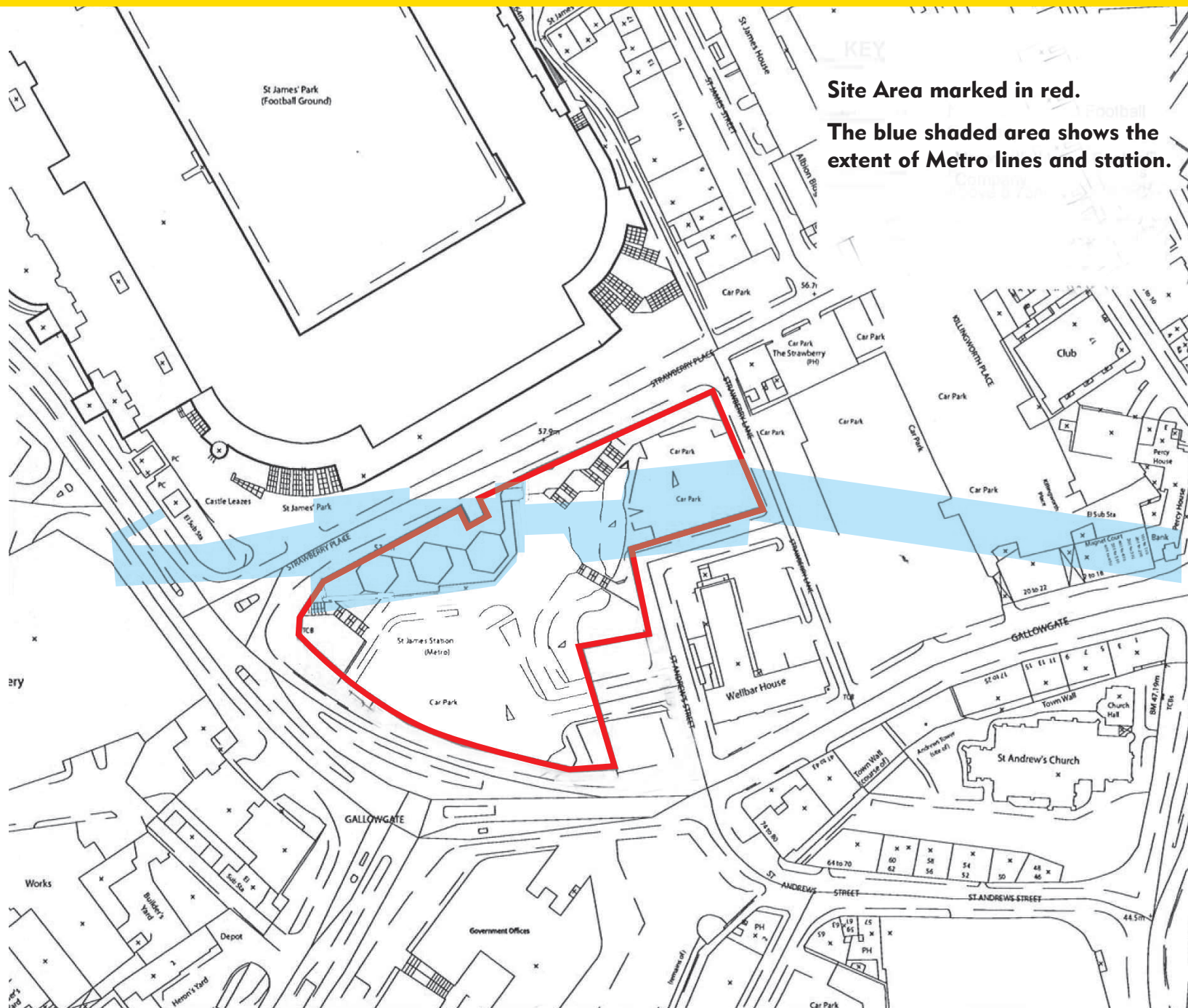
11 Contact Officers

- 11.1 Colin Whittle – Head of Legal Services, Nexus
Email - colin.whittle@nexus.org.uk, Tel: 0191 2033239

12 Sign off

- Head of Paid Service ✓
- Monitoring Officer ✓
- Chief Finance Officer ✓

Site Boundary and Metro position



Site Area marked in red.
The blue shaded area shows the extent of Metro lines and station.

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