

## **Agenda Item 8.1(a)**

### **EXTRACT FROM THE MINUTES OF THE SPECIAL MEETING OF THE POLICY & RESOURCES COMMITTEE HELD ON 6 JUNE 2005**

Present: Councillor Bodfish (Chair); Councillors John (Deputy Chair), Burgess (Deputy Chair), Battle, Mrs. Cobb, Mrs. Drake, Elgood, Fitch, Kemble, Meadows, Mrs Norman, Oxley (OS – Finance), Peltzer Dunn (OS), Randall and Taylor

#### **2. King Alfred Development - Evaluation of the Stage C Design**

- 2.1 The special circumstances for non-compliance with Council Procedure Rule 19, access to information Rule 5 and section 100N(4) of the 1972 Local Government Act as amended, (items not to be considered unless the agenda is open to inspection at least five days in advance of the meeting) are that as a result of ongoing negotiations and discussions with the Developer on the precise text of the notice to be served under the Development Agreement it was not possible to settle the report until the 3<sup>rd</sup> June.
- 2.2 Prior to the consideration of the report, the Chair asked the Principal Solicitor to outline the background behind the need for the Special meeting.
- 2.3 The Principal Solicitor informed the committee that as part of the Agreement with the Developer, there was a need for the Council to confirm decisions throughout the evaluation process. Following the Project Board's meeting there was a legal requirement for the Policy & Resources Committee to meet within 10 working days to consider the Board's recommendations. Having set the date for the committee, officers needed to finalise the reports and agreement on the Legal Appendix was only reached on the morning of the 3<sup>rd</sup> June, which enabled the papers to be dispatched that afternoon. He also stated that in order to confirm the decision with the Developer within the agreed timescale, it was felt that the matter should not be subject to the call-in procedure, as any delay would compromise the council's position.
- 2.4 The Committee considered a report of the Chief Executive setting out the evaluation of the Stage C design and seeking approval of the King Alfred scheme in accordance with the provisions of the Development Agreement (for copy see minute book).
- 2.5 Councillor John noted that consideration of the Stage C design would not usually come to committee as it related to the technical aspects of the proposed development. However, the committee had previously requested that sign-off of Stage C be brought before it and following two meetings of the Project Board, it was before the committee for approval. The project Board had looked at the elements of the Stage C design and recommended that it should be approved, taking into account the conditions that needed to be met to reflect the aims and objectives of the council for the site. Both the Project Board and the Developer had concluded that the provision of an indoor bowls facility should be accommodated separately within the city and the necessary funding would be ring-fenced for that provision. It had also been agreed that alternative swimming arrangements would be provided to enable schools to

maintain their curriculum activities during the construction of the new pool.

- 2.6 Councillor John noted that the committee was not being asked to approve the planning considerations, although it could comment on the factors such as the proposed increase in the number of living units and height of the towers. She also noted that the conditions outlined in the Legal Appendix to the confidential report had been agreed by the Project Board and were intended to safeguard the council's position and sporting facilities.
- 2.7 Members of the committee expressed their concerns with regard to the proposed increase in the number of units to 750 and the potential impact this would have on the local environment. It was noted that the scheme had changed significantly since the Developer's first submission and the number of units had continued to rise, whilst the sporting and leisure facilities had decreased. Members expressed concern over the density of the development and the potential for the Developer to add further units. It was also felt that further information was required on the issues of sustainability, education and health-care provision and the transport links.
- 2.8 In view of various points raised by members of the committee, the Chair suggested that it would be helpful to move into closed session and consider the confidential report, before returning to open session and concluding consideration of the matter.
- 2.9 It was agreed that the open session of the meeting should be adjourned and the committee retired to another room, in order to consider the confidential report and allow members of the public to remain in the public gallery of the council chamber. (Adjourned 3.55pm to 4.30pm).
- 2.10 Following consideration of the confidential report the Chair reconvened the meeting at 4.35pm.
- 2.11 Councillor Peltzer Dunn asked for clarification on the proposal that the report should not be subject to the call-in procedure.
- 2.12 The Principal Solicitor informed the committee that as part of the agreement with the Developer, there was a need to communicate the council's decision within ten working days and therefore it was felt to be a matter of urgency and should not be subject to the call-in procedure.
- 2.13 Councillor John stated that although a need to bring the Stage C design to the committee had not been foreseen at the outset of the project, the discussion had aided the process. She would ensure that the Project Board took on board the concerns raised by Members and that these would be taken into account when considering Stage D. She noted that the process was not at the pre-planning stage and that a number of issues would need to be addressed to enable the submission of a planning application.

#### **RESOLVED –**

- (1) That the evaluation of the Stage C design submission against the Briefs be noted.

(2) That 'in principle' support be given by the Council (in its capacity as landowner only) to the number of housing units proposed for the site being up to 750, such support not prejudicing any functions that may be exercised by the Council in any other capacity.

(3) That the King Alfred Stage C design submission, subject to the conditions as listed in the confidential report, (Item No.4) considered during closed session, be approved.

(4) That in accordance with the Overview and Scrutiny Procedural Rule 14, the decisions in (2) and (3) above, should not be subject to call-in, in view of the urgency of the decisions required and the likelihood that any delay resulting from call-in would seriously prejudice the Council's interests.

Note: *In accordance with Procedural Rule 28.4 Councillors Mrs. Cobb, Kemble, Oxley, Peltzer Dunn and Taylor asked that their names be recorded as having voted against the above resolutions.*

## **PART TWO SUMMARY**

### **4. King Alfred Development - Evaluation of the Stage C Design - report of the Director of Strategy & Governance - Exempt Categories 8 & 9**

4.1 The Committee considered a confidential report of the Chief Executive, which supplemented the part 1 report and provided additional detail on the cost/viability issues and legal issues associated with the proposed King Alfred Development.

#### **RESOLVED -**

(1) That the recommendations of the King Alfred Project Board as set out in the Legal Issues Appendix - Part A be noted.

(2) That subject to the approval of the recommendations in Part 1, the King Alfred Stage C design submission to the Developer as set out in the Legal Issues Appendix - Part B be approved.

### **5. Exempt Items**

5.1 **RESOLVED** - That item 4 remain exempt from disclosure to the press and public.

**NB This item has been referred to Council for information by the Conservative Group in accordance with Procedural Rule 20.3a**