

BRIGHTON & HOVE CITY COUNCIL
ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

4.00pm 15 NOVEMBER 2012

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Bowden (Chair) Mac Cafferty (Deputy Chair), Brown (Opposition Spokesperson), Morgan (Opposition Spokesperson), Fitch, Janio, A Kitcat, Littman, Smith and C Theobald

PART ONE

32. PROCEDURAL BUSINESS

32a Declarations of Substitutes

32.1 There were none.

32b Declarations of Interest

32.2 Councillors Morgan and Smith declared general and non-pecuniary interests in Item 44 "Major Projects Update" by virtue of the fact that they were Brighton and Hove Albion Football Club Season Ticket holders.

32c Exclusion of Press and Public

32.3 In accordance with Section 100A of the Local Government Act 1972 ("The Act"), the Economic Development and Culture Committee considered whether the public should be excluded from the meeting during consideration of any item of business on the grounds that it is likely in view of the business to be transacted or the nature of the proceedings, that if members of the public were present during it, there would be disclosure to them of confidential information as defined in Section 100A(3) of the Act.

32.4 **RESOLVED** – That the press and public be not excluded from the meeting during consideration of any item on the agenda.

33. MINUTES

33.1 **RESOLVED** - That the Chair be authorised to sign the minutes of the meeting held on 20 September 2012 as a correct record.

34. CHAIR'S COMMUNICATIONS

Alan Randall

The Chair opened his remarks by paying tribute to Alan Randall the founder of “Yellow Wave” who had died recently. He referred to the huge contribution he had made to the city and to the projects which were in place and would continue as a lasting testament to his hard work.

Economic Development

Dressed for Success 2012 had launched again following its success last year in encouraging and supporting independent retailers during the festive shopping period. The scheme provided one to one retail training in window displays and ends with a public competition for the best dressed windows.

Following the announcement of the successful bid for the London Road to become a Portas Pilot area, the council had now received grant funding of just over £83k from the Department of Communities and Local Government to implement a programme of improvements including the creative use of empty spaces, crime reduction initiatives, enhanced marketing and retail training. Additional funding would also be made available to build on this programme from Arts Council England.

The city’s online Investment Prospectus was due to launch the following week and would go live from Monday 19th November. There would be a series of marketing campaigns over the next two months to promote the site.

Royal Pavilion & Museums

The Royal Pavilion’s new external lighting system was launched on 30 October by the Mayor, Cllr Bill Randall. The new system had been designed by Urban Projects Ltd who had also designed the lighting for the Bandstand on Brighton seafront. The installation had been carried out by Philips Lighting. Using the latest lighting technology, the new scheme has a low impact on the environment and provided a distinctive look for this unique and beautiful building”. It was estimated that the new 100% LED lighting system would have running costs of approx 75% less than the old scheme which had become unusable at the end of 2009. The new fully dynamic scheme offered greater flexibility, with the ability to highlight individual architectural features using a range of colours. It would illuminate the building itself and not ‘light the sky’ in the way the old system did and thus would reduce light pollution. He was delighted that the hugely popular Royal Pavilion ice rink, now in its third year, will open to the public on 10 November and would operate until 20 January 2013. This was a commercially operated facility and tickets were available from Ticketmaster rather than the Council.

Libraries

Brighton & Hove had secured £4000 for the Automatic Library Project from Arts Council England. This would focus on getting every pupil in a selected group of primary schools to become a library member building our ‘Get Reading’ model. This was one of a

number of projects happening in over 20 Library authorities across the country, with a national press release to be issued on November 14.

Culture/Events

Brighton Photo Biennial and Photo Fringe both had had a very successful year.

The Film City initiative had been going strong with 3 very successful meetings covering all aspects of the film industry – venues, festivals, heritage and audiences, artists and businesses and locations and logistics. This had been led by City Council with the Arts and Creative Industries Commission and a report and action plan would be completed by the 6 December. Two tangible outcomes of Film City already were that film income had already exceeded that of last year with 2 months to go and Creative England would be joining us 2 days a month to help develop the reputation and capacity of the city for visiting film companies. The 10th year of the Brighton Film Festival Cine City would open on 15 November and The Dukes @ Komedia would also be opening on 6 December so it really was a very exciting time for film in the city.

White Night commission - West Street Story had been instrumental in the city council winning the John Conell Award alongside the Noise Abatement Society. Martyn Ware had been commissioned to produce an immersive soundscape to dissuade anti-social behaviour. This served to illustrate how collaborative working and creative solutions could be very effective.

Tourism

VisitBrighton

The VisitBrighton Convention Bureau Team had hosted a hugely successful sales event for conference buyers 'Brighton Un Conventional' welcoming 40 top conference buyers to the City from 19 -21 October. This had been supported by hoteliers from across the City who had offered complimentary accommodation for the weekend to the clients, the event has resulted in 3 enquiries which, if confirmed, will bring £1.5m of economic benefit to Brighton.

Brighton Centre

Since the completion of the refurbishment work forward bookings had increased significantly at the Brighton Centre and since January 2012 events with an economic impact of £170m had been secured. Over a similar period prior to the works a comparable economic impact was approximately £30-40m.

Enquires to the conference team at the Brighton Centre were significantly up on previous years. In October 2012 enquiries received were up by 175% in number and 410% in income value compared to the same period October 2011.

The Ultimate Site Visit had now seen an ROI of 1833.3% with confirmations by; British Society of Immunology 2014, 2017 and 2020 and the College of Occupational Therapists 2014 and 2015 alongside the Eco Technology Show in 2013 which were also

provisionally holding dates up until 2016 with the hope to be a repeat event at the venue.

Sports and Leisure

Sports Awards

The fifth Brighton & Hove City Sport & Physical Activity Awards had been attended by 200 people at the Amex Community Stadium. Organised by the Council's Sports Development Team, the evening had paid tribute to those who contributed so much to sport and physical activity in the City. There were awards in 10 categories which celebrated the achievements of sports providers, teachers, administrators, coaches, volunteers and athletes.

The evening had raised the profile of sport and physical activity in the City recognising the contribution made to improving the health and well-being of residents, the reduction of anti-social behaviour and benefits to the local economy.

Sport and Physical Activity Grant Scheme

The Scheme for this year was launched at the Sports Awards. Grants of up to £500.00 can be used to help an individual move to the next level in their chosen sport, or support those already performing at a high level. A grant to a club can fund much needed equipment or it may be able to help increase participation to encourage new members. Details are available on the council website or from the Sports Development Team.

Active for Life Autumn Half Term Programme

The Active for Life Team had delivered another exciting half term programme including Halloween games, Olympic Sports Activity day and a dance workshop for new young dance leaders. Over 400 children took part in the activities.

35. CALL OVER

35.1 All items were reserved for discussion.

36. PUBLIC INVOLVEMENT

36a Petition: West Pier Market by West Pier Traders Association

36.1 The Committee considered a report of the Interim Lead, Chief Executive Services detailing the debate in respect receipt of a petition from the West Pier Traders Association which had been considered at Full Council on 25 October 2012 at which time it had been agreed to refer it to the Economic Development and Culture Committee for consideration. A further report was also considered setting out the wording of the petition which contained 7,840 signatures.

36.2 Mr Fijalkowski presented his petition which was set out in the following terms:

“The development of the i-360 tower on the site of the West Pier means that the West Pier Market, which has run on the site since 1996, will no longer be able to operate in its current location. We, the undersigned, call on the council to find a solution for the traders to continue to trade on Brighton seafront whilst the construction of the i-360 is underway and to find a permanent solution to siting the market as part of the area once building of the i-360 has been completed.”

36.3 Mr Fijalkowski amplified on his petition stressing the West Pier Traders request that the council facilitate a permanent solution in terms of re-siting the market.

36.4 **RESOLVED** - That the contents of the petition be received and noted.

36b Questions: West Pier Market

36.5 The Chair, Councillor Bowden stated that he had received prior notification of two public questions and that as they related to the same issues he would respond to them both together, however, both members of the public would also have the opportunity to ask a supplementary question if they so wished.

36.6 Mr Fijalkowski asked the following question on behalf of Dinah Delap a fellow West Pier Trader:

“I have traded at the West Pier since 1996. The market helped me put my son through university and he in turn took the business on and has built the stall to help support his family. Similarly the market has grown and flourished over the years and I have seen customers grow up and have children themselves, returning to the market as part of their weekly routine to buy, to meet, to chat; or visitors to the city who return to the market year after year. Can you reassure me that the council will look into ways to make a seafront market part of it’s plans for the development of the beach for the future, so that the tradition can continue.”

36.7 Mr Mark Keeble asked the following question:

“As someone who has traded at the West Pier Market for over 10 years and who relies on it as a significant part of my livelihood, I welcome the support of the council members and their commitment to help find a new home for the market. However, there is still much uncertainty about the exact siting of the new market, even at this late stage. Councillors can you assure myself and my fellow traders that you will do everything possible to ensure that all the necessary information can be clarified as quickly as possible in order to assist us in the application process and to enable the market to commence at the start of next season’s trading in March 2013.”

36.8 The Chair, Councillor Bowden responded in the following terms:

“While the council is fully aware of the situation and sympathises with the market traders following their eviction by their Landlord the West Pier Trust this problem is clearly not of the council’s making. Whilst the market traders should be aware that the permission for the market was only ever temporary, the council is looking to help in terms of finding a short term location during i-360 construction.

But I would also add that a variety of other seafront traders have expressed concern about unfair competition given that as a permanent tenants they have high overheads, business rates, etc.

Any proposals for a permanent market will be explored as part of the Seafront Strategy consultation, this would need to consider demand, fit with existing seafront uses, available seafront sites and competing proposals. That said, he stated that officers were in the process of looking at two potential sites.

To update on the current position officers are in the process of looking at two potential sites.

36.9 **RESOLVED** – That the position be noted.

37. **MEMBER INVOLVEMENT**

37a **Petitions**

37.1 There were none.

37b **Written Questions**

37.2 There were none.

37c **Letters**

37.3 There were none.

37d **Notices of Motion**

37.4 There were none.

38. **ROYAL PAVILION AND MUSEUMS - FUTURE PLAN**

38.1 The Committee considered a report of the Interim Lead, Cultural Services Setting out the strategic direction for the development of the Royal Pavilion and Museums (RPM) in the light of current economic, environmental and social challenges and the selection of RPM as a partner in Arts Council England's Major Grant Programme for museums (Renaissance).

38.2 It was these that drove the imperative to develop sustainable future plans for the RPM which would maintain and develop the city's unique and invaluable portfolio of historic buildings and nationally significant collections. Through the future development outlined in the report the council's RPM would continue to play a significant role in the city, and its assets would be maximised for social and public benefit.

37.3 The Head of the Royal Pavilion and Museums gave a presentation detailing the background and chronology of key events and highlighting the potential for future development which had been identified in respect of each of the RPM sites.

- 38.4 Councillor Brown welcomed the report, supported the strategies that were being proposed to meet current challenges and to carry the service forward into the future, especially the innovative approach which was being adopted in respect of Preston Manor. The Head of the Royal Pavilion and Museums and her team were to be congratulated on their collaborative hard work and the degree.
- 38.5 Councillor C Theobald expressed her support for the recommendations and the way different proposals were suggested for different buildings. The Royal Pavilion was itself a marvellous building.
- 38.6 Councillor Littman welcomed the proposals which sought to enhance the city's historic buildings and brought together the two halves of the Committees' business, its economic development and its cultural and historic offer.
- 38.7 Councillor Fitch referred to plans for the Royal Pavilion which was the "jewel in the city's crown."
- 38.8 Councillor Morgan welcomed this masterplan for the whole of the RPM estate.
- 38.9 **RESOLVED** – (1) That the intention of RPM to work with Brighton Dome Festival Ltd (BDFL) on a feasibility study to inform the development of a master plan for the Royal Pavilion Estate be noted;
- (2) That the feasibility study in relation to the Court House and the development work on the natural history and archaeology collections be noted;
- (3) That the Committee agrees to the refocusing of Preston Manor and the trial change to Saturday openings to enable weddings to be trialled at the Manor and requests that officers to bring a report back to Committee in autumn 2013;
- (4) That the joint working arrangements with Brighton Dome Festival Ltd be noted as this necessitates a formal partnership agreement approval is given to give delegated authority to the Head of Service to develop and complete the proposed Partnership Agreement with Brighton and Dome Festival Limited (BDFL) based on the principles as set out in this report;
- (5) The role of the Royal Pavilion and Museums' Foundation in supporting the business model be noted;
- (6) The forward plan for programming and work for 2012-15 be noted; and
- (7) That officers are requested to bring regular updates on the development work outlined in the report to this Committee.

38. EVENTS IN PARKS AND OPEN SPACES

- 39.1 The Committee considered a report of the Interim Lead, Cultural Services providing feedback on significant events which had taken place during 2012. The Commissioner for Culture explained that events had moved forward since the report had been

published. The Committee was no longer being requested to authorise officers to enter into formal discussions with the organisers of Pride to use Madeira Drive as notification had been received from the organisers that they no longer wished to pursue that option. Officers would however continue to work with the organisers.

- 39.2 The Chair referred to the excellent work carried out by the small dedicated team who were instrumental in facilitating the wide range of successful events mounted across the city, especially during this Jubilee/Olympic year. Those comments were echoed by Councillors Brown and Fitch.
- 39.3 **RESOLVED** - That the Committee note the review of highlights of events for 2012 and the attached appendix summarising all the events of 2012.

39. FUTURE OF THE MOBILE LIBRARY SERVICE

- 40.1 The Committee considered a report of the Acting Director of Finance requesting that they express their views as to the preferred option(s) to be considered as part of the process for setting the budget for 2013-14 and 2014-15 over the coming months.
- 40.2 Following the decision taken by the Committee at its meeting held on 20 September 2012, the Mobile Library Service was due to operate until the end of March 2013. The purpose of this report was to inform Members of how the one-off funding shortfall of £17,000 for the Mobile Library for this year would be met, and set out options that could be explored to retain the service on an on-going basis.
- 40.3 Additionally, the Committee had requested that the further report for consideration at that days meeting, as well as detailing how the funding shortfall could be met also set out options that could be explored in seeking to retain the service.
- 40.4 It had not been possible to find the shortfall of £17,000 for the current year within the Libraries budget and this would need to be met from the General Fund Risk provision. This would be one-off funding for the current year only and would need to be included in a future Targeted Budget Management Report for reporting to Policy and Resources Committee.
- 40.5 It had not been possible to identify partnership revenue funding for continued operation of the Mobile Library, even when it had been confirmed that partners would not be required to find funding for the 10 year lifetime of the mobile library vehicle. Any shortfall in the revenue funding for the continued operation of the Mobile, as identified in the options set out in the report would need to be taken into account in the current budget process.
- 40.6 Options which could be explored for the future in order to retain the service together with options for additional or an alternative were presented in the table set out in the report.
- 40.7 Councillor Brown stated that her preference would be to go forward with Option 3 with the provision of a new vehicle. In answer to questions the Legal Adviser to the Committee, the Principal Solicitor, explained that committing to a continued service had required additional revenue resources to be identified and approved to cover the running costs. This had been a condition for committing the LTP capital expenditure. Officers

had been unable to meet these conditions as laid down i.e., to find alternative sources of partnership funding for the revenue gap. In any case, the procurement itself i.e., the purchase of the new vehicle would need approval by Policy and Resources as was normal for all capital schemes.

- 40.8 Councillor Fitch stated that he was not happy to hear that money for the vehicle would need to be re-provided as he had understood that the money to purchase a replacement vehicle had already been set aside. It had been the clearly stated view of the majority of the Committee at its previous meeting that it wanted options to be pursued which would retain and protect the service. On balance he would support Option 3, as this allowed the possibility for the service to be extended again if the budget situation improved in future.
- 40.9 The Chair stated that the original budget amendment of the Labour and Co-operative Group had placed conditions on the manner in which funding for the mobile service could be provided. Councillor Morgan concurred in that view, he also stated his views that, the Chair's reference to the mobile library as a "lorry based service" in a recently circulated Press release had been unhelpful. It had been the clearly stated view of the Committee that the service should be retained and on that basis he considered Option 3 as set out represented the most appropriate way forward.
- 40.7 Councillor Janio also expressed his support for Option 3 and stated that he could not understand why the money to purchase this vehicle needed to be re-approved by the Policy and Resources Committee, given that approval had already been given and the monies to do so set aside, if that was the case he felt that a mistake must have occurred. If the Committee were now being told that the vehicle could not be purchased in order to operate a reduced service that was disingenuous and ran totally counter to the views of the Committee.
- 40.10 The Legal Adviser to the Committee, The Principal Solicitor, reiterated his earlier comments. The Principal Accountant, explained that should the preferred option include the purchase of the new mobile library vehicle and the conditions were deemed as having been met it would still be necessary to seek approval from Policy and Resources Committee in accordance with the Financial Regulations in respect of the Capital Programme. If the conditions currently attached to the capital funding could not be met, then the capital expenditure was not authorized and the capital resources would then become available for the Council to commit in accordance with the budget process.
- 40.11 It was further explained that Financial Regulations required that value for money was obtained for both capital and revenue resources and needed to be taken into account when considering the options. The Council's external auditor was also required to give an opinion on the Council's arrangements for ensuring value for money. It should be noted that as some of the options included a reduced number of days of service provision this would need to be considered in evaluating usage of the asset.
- 40.12 Councillor Smith stated that he also supported Option 3 but was concerned that any decision taken by the Committee could be overturned at a subsequent meeting of the Policy and Resources Committee. If Option 3 was agreed and the view of the meeting was that that a new vehicle be provided to deliver that service he was anxious that that

was relayed as a strong message to the Policy and Resources Committee so that they were mindful of that when making their decision.

- 40.13 The Chair stated that there appeared to be a consensus amongst opposition members that Option 3 was their preferred option and that in tandem with that it was also their preference that a new vehicle be purchased for delivery of that service. For clarity he asked Members to vote on each of the other options in turn, options 1-7. The outcome of the vote was 6 in favour of Option 3 with the purchase of a new vehicle and 4 in favour of option 7.
- 40.14 **RESOLVED** – That the Committee recommends to the Policy and Resources Committee that its preferred Option 3 as set out below, is considered as part of the process for setting the budget for 2013-14 and 2014-15 over the coming months, this to include the purchase of a new replacement vehicle subject to the value for money assessment for both capital and revenue resources, as well as agreement from the Council's external auditor.

Details:

Operate the Mobile on a reduced timetable for three days per week. Would reduce from 24 to 11 stops removing 13 of the least used. Also moving some stops to different days. Reduction of 20% of usage.

Costs

£47,000 for 2013-14

Reducing to £37,000 in 2014-15

Sources of Funding

£37,000 library budget for mobile

£10,000 from postponement of savings proposal for 2012-14

Risks/Opportunities

Service would be within current budget from 2014-15

There would be an estimates 20% reduction in usage, affecting an estimated 547 borrowers. However, 387 of these borrowers also use another Mobile Library stop, so only 160 individual borrowers would loose their Mobile Library access.

(Note that some of those borrowers will also use a static library)

Note: The Committee also wished to place on record that the above is their preferred majority option and that that their preference is that delivery of this service is supported by purchase of a new vehicle and that they wish this to be taken account of when the Policy and Resources Committee makes the ultimate decision in respect of this matter.

40. DRAFT SEAFRONT STRATEGY

- 41.1 The Committee considered a report of the Strategic Director, Place setting out the Draft Seafront Strategy. Large scale coloured maps indicating the different sections of the Seafront were displayed at the meeting.

- 41.2 It was recognised that the seafront was of vital importance to the economy of the city as a focal point which attracted both residents and visitors in large numbers. They were drawn to the Seafront to enjoy the wide range of sporting and leisure opportunities that were available. In addition, the Seafront was a major attraction for the city and played a significant role in attracting business visitors to conferences and events. Notwithstanding the economic difficulties currently being experienced across the country as a whole, the Seafront was still attracting investment. Regular enquiries into development possibilities on the Seafront meant that it was important that there was clarity on the availability and suitability of such options through an emerging seafront strategy. Such a strategy would also be beneficial as it would be of assistance when applying for external funding and when allocating developer contributions.
- 41.3 Councillor Brown welcomed the report and the approach being adopted which recognised the distinctive character of different sections of the Seafront. Councillor Smith concurred in that view commending the report which highlighted the improvements that had been effected to date and also highlighted areas which could be focused on for the future, including gaps in continuity which needed to be addressed.
- 41.4 Councillor Janio also welcomed the report stating that it was important to be adventurous and when planning future development it was also important that Brighton and Hove seafronts were treated equally in order to avoid a Brighton/Hove divide.
- 41.5 Councillor C Theobald stated that any improvements to or developments which would encourage greater use of the Volks Railway would also be welcomed.
- 41.6 Councillor Fitch stated that there would always be challenges in maintaining and revitalising the Seafront. However, huge improvements had been made since the 1990's and there was no reason to think they would not continue if the right approach was adopted.
- 41.7 Councillor Morgan commended the contribution which had been made by Alan Randall of Yellow Wave in helping to commence Re-invigoration of the Peter Pan's Playground area and was in agreement that a systematic approach and a pro-active strategy were appropriate.
- 41.8 Councillor Littman stated that production of the strategy was timely, and looked forward to further update reports in the future.
- 41.9 **RESOLVED** - (1) That Members approve the vision, themes and character areas of the emerging Seafront Strategy; and.
- (2) That Members approve a consultation process on the draft Seafront Strategy which will inform a final Strategy to be considered by the Policy & Resources Committee.

41. BLACK ROCK, TEMPORARY USE

- 42.1 The Committee considered a report of Interim Lead Cultural Services seeking approval to the temporary use of the site by the Committee taking into account the recommendations of the Project Board. Also to the granting of Landlord's consent,

subject to final Lease arrangements being determined, subject to Planning consent, in accordance with the Scheme of Delegation to the Head of Property and Design, with the Seafront Estates Surveyor acting in consultation with the Seafront Development Manager and the Head of Legal Services.

- 42.2 The Head of Tourism and Leisure explained that in July of that year the Policy and Resources Committee had agreed the recommendation of the Black Rock Project Board to reject revised proposals submitted by Brighton Arena Limited relating to the Black Rock site. It had been agreed at that time that the site should be subject to a fresh procurement and re-marketing exercise and that the future strategy for re-marketing of the site should be worked up in conjunction with the cross party Project Board, including future possible uses on the site (including an ice rink) being feasibility tested and subject to soft market testing, prior to the council returning it to the market.
- 42.3 The Head of Tourism went on to explain the process that officers had undertaken to market the site for a temporary use and to the selection process which had resulted in the preferred operator being chosen. He stated that the Project Board had not been unanimous in its decision, however on balance a majority of its members had agreed the recommendations being put to the Committee for approval.
- 42.4 Councillor Morgan stated that he was a Member of the Project Board and explained that he would be abstaining from voting on this item in order to be consistent with the approach that he had taken at the Board meeting. Although he had no objections to the Sand Sculpture Festival use, he was concerned that if permission was given for that use it would preclude use of the remainder of the site for any other purpose for a three year period. He considered that year round use was preferable and for that reason he had supported the concept of a Drive – Thru Cinema.
- 42.5 Councillor Smith stated that he supported the proposed use as a previous sand sculpture exhibition, at the site previously which had been well received and which had attracted increased numbers of visitors to that part of the seafront. It and had also resulted in increased use of the Volks Railway. He was pleased to note that the option of future provision of an ice rink had been kept open.
- 42.6 Councillor Brown also expressed her support for this use stating that she hoped it would result in increased use of the Volks Railway as previously.
- 42.7 Councillor C Theobald noted that it was intended that the sand sculpture exhibition was intended to operate for broadly the same period as that during which the Volks Railway was in operation. Councillor Theobald also enquired regarding longer term plans both for construction of a temporary coach park and to enhance and improve the Volks Railway.
- 42.8 The Strategic Director Place responded that a number of options were being actively pursued including possible grant funding for the Volks Railway itself. It was intended to extend the period of operation of the Volks Railway further into the winter months, especially at weekends and for this to coincide as far possible with the period during which the sand sculpture exhibition ran.

- 42.9 **RESOLVED** – (1) That Committee agrees to grant Landlord’s consent for the temporary 3 year letting to Brighton Sand Sculpture Festival; and
- 42.10 (2) That the Economic Development & Culture Committee agree for final Lease arrangements to be determined, subject to Planning consent, in accordance with the Scheme of Delegation to the Head of Property and Design, with the Seafront Estates Surveyor acting in consultation with the Seafront Development Manager and the Head of Legal Services.

Note: Councillor Morgan abstained from voting in respect of the above item.

42. ECONOMIC STRATEGY- REFRESH

- 43.1 The Strategic Director, Place provided the Committee with a brief verbal update in regard of the Economic Strategy Refresh process which was currently under way. A number of meetings had taken place with partners and it was anticipated that a report setting out progress made to date would be submitted to the next scheduled meeting of the Committee in January 2013 in advance of it being fed into the budget process in the Spring.
- 43.2 **RESOLVED** - That the position be noted.

43. MAJOR PROJECTS UPDATE NOVEMBER 2012

- 44.1 The Committee considered the Major Projects Update to November 2012 which had been circulated to Members for their information.
- 44.2 Councillor Morgan referred to the item contained in the schedule which referred to the Amex Community Stadium. He stated that he wished to make an amendment to the text as it appeared in the schedule as he did not consider that it was an accurate statement of fact in respect of the situation which existed between the Football Club and the Council as agreed at a meeting of the (then) Cabinet which had taken place in February 2012.
- 44.3 The Legal Adviser to the Committee, the Principal Solicitor referred to the minutes of the Cabinet meeting at which time it had been agreed.
- 44.4 The Principal Solicitor explained that this was entirely consistent with the statement in the schedule which represented the current position. There had been no change to the Council’s stated position. It had never been the case that the Football Club would simply be appointed. The Council (policy and Resources Committee) had to be satisfied that the requirements of Paragraphs 1-3 of the Local Government Act had been met. The only way to test that was by going to the market.
- 44.5 The Head of Planning and Public Protection concurred that the Development Brief and the Planning Brief were separate entities. The Planning Brief set out what had been agreed to ensure that a proper and appropriate for of development was built.

- 44.6 Councillor Smith stated that he recalled that discussions had taken place in respect of building halls of residence with parking provision below. It was confirmed that was still potentially an option.
- 44.7 Councillor C Theobald stated she considered it was very important that this matter be clarified as she had understood that an agreement had been entered into with the football club. She cited their important contribution to the city which she felt should be supported.
- 44.8 Councillor Janio stated that he was concerned that an error had occurred in that the current situation did not appear to accurately reflect the decision which members had made. The Principal Solicitor re-iterated that nothing had changed the position had been and remained in that the legal and financial requirements placed on the local authority by the Local Government Act 1972, as amended had to be met. That did not include or preclude any options and whilst the level of parking to be provided across the site had been specified there was no requirement that it had to be provided by the football club. He re-iterated that the Development Brief and the Planning Brief were separate entities.
- 44.9 Councillors Fitch and Morgan stated as there appeared to be differing views about what had been agreed they would welcome clarification of this matter outside the meeting. It was agreed that this would happen.
- 44.10 **RESOLVED** – That the contents of the schedule be noted.

44. ITEMS REFERRED FOR COUNCIL

- 45.1 There were none.

The meeting concluded at 6.10pm

Signed

Chair

Dated this

day of