

Agenda Item 3

Brighton & Hove City Council
MAJOR PROJECT SUB-COMMITTEE

4.00pm 14 March 2008

HOVE TOWN HALL

MINUTES

Present: Councillor Peltzer Dunn (Chairman); Councillor Smith (Deputy Chairman), Councillors Hawkes (OS), Kennedy, Mears, Mitchell, Morgan, Ann Norman, Rufus and Young.

PART ONE

ACTION

40. PROCEDURAL BUSINESS

(A) Declarations of Substitutes

- 40.1 Councillors Kennedy and Ann Norman declared that they were attending the meeting as substitutes for Councillors Kitcat and Oxley respectively.

(B) Declarations of Interest

- 40.2 Councillor Mears declared a personal and prejudicial interest in Item No.46, Open Market Update and Consideration of Project Options as she had a business at the Open Market.
- 40.3 Councillor Hawkes declared a personal interest in Item No.44 Falmer Community Stadium as she was a member of the City College Board.

(C) Exclusion of Press and Public

- 40.4 The sub-committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Section 100B(3) or 100 1 of the Local Government Act 1972 (as amended).

- 40.5 **RESOLVED** – That the press and public be excluded from the meeting during consideration of Item No's 51 – 53 contained in Part 2 of the Agenda.
- 41. Minutes of the last meeting held on 4 February 2008.**
- 41.1 **RESOLVED** – That the Minutes of the meeting held on the 4 February 2008 be approved and signed by the Chairman as a correct record of the proceedings.
- 42. CHAIRMAN'S COMMUNICATIONS**
- 42.1 The Chairman noted that he had received a letter from an Interest Group in respect of the development at the Marina and that he had replied to say that the matter had been considered at the sub-committee's last meeting. He also stated that any further representations could be considered at future meetings.
- 42.2 The information was noted.
- 43. Public Questions**
- 43.1 The Chairman noted that a public question had been received from Mr. Nigel Furness, which had been circulated and invited him to put his question to the meeting.
- 43.2 Mr. Furness thanked the Chairman for the opportunity to put his question:
- "Could Councillor Peltzer-Dunn please tell us what plans the Council has for the King Alfred site if the current proposal does not proceed?"
- 43.3 The Chairman thanked Mr. Furness for his question and responded as follows:
- "There are no such plans at the present time. The council has an agreement with the developer and until such time that the developer indicates otherwise, the assumption must be that the agreement will be complied with and the current scheme developed. If in fact the scheme does not proceed the council will need to consider the various options then available to it."
- 43.4 Mr. Furness then asked the following supplementary question:
- "If there is a need for Plan B, will the comments of planning officers expressed before their departure be taken into consideration?"
- 43.5 The Chairman stated that should the current scheme not go ahead and a future scheme proposed requiring a planning application, it would need to be considered on its merits by the Planning Committee.

44. FALMER COMMUNITY STADIUM.

- 44.1 The Chairman welcomed Mr. Martin Perry from Brighton & Hove Albion to the meeting and invited him to give a presentation on the proposed stadium at Falmer.
- 44.2 Mr. Perry thanked the Chairman and gave a presentation to the Sub-Committee which outlined the vision for the stadium and how it would be brought to fruition.
- 44.3 Members of the sub-committee welcomed the presentation.
- 44.4 The Chairman thanked Mr. Perry for attending the meeting and noted that there was also a report from the Director of Environment, which detailed the progress to date on the Community Stadium project (for copy see minute book).
- 44.5 **RESOLVED** – That the presentation and report be noted.

45. INVESTIGATIONS INTO OPPORTUNITIES FOR SURPLUS LAND AT FALMER.

- 45.1 The Sub-Committee considered a report of the Acting Director of Cultural Services, which sought approval for the investigation of an option for the surplus land at Falmer following the receipt of a proposal from Brighton & Hove Albion Football Club (for copy see minute book).
- 45.2 The Acting Director of Cultural Services noted that the matter had been the subject of a report to the Policy & Resources Committee on the 6 March, which had approved the proposal and that an extract from the meeting had been circulated.
- 45.3 Members noted that the Policy & Resources Committee had approved the investigation and therefore that a report would be brought back in due course.
- 45.4 **RESOLVED** – That the extract and the report be noted.

46. OPEN MARKET UP-DATE AND CONSIDERATION OF PROJECT OPTIONS.

- 46.1 The sub-committee considered a report of the Acting Director of Cultural Services, which outlined the current status of the Open Market proposal and options for the future direction of the Project (for copy see minute book).
- 46.2 **RESOLVED** –

(1) That the report be noted and that Policy & Resources Committee be recommended to approve the following:-

- (2) That the project continues to make progress and that Option 1 is approved as described in section 8 of this report where the lock out period ending on 19 April 2008 is extended by eight months to 19 December 2008 and officers continue to support the Open Market Traders Association and Hyde Housing Association to prepare a development proposal with draft Heads of Terms and draft Development Agreement to be reported back to the Project Board;
- (3) That if the Open Market Traders Association and Hyde Housing Association have not brought forward draft Heads of Terms and draft Development Agreement for the redevelopment proposal that are acceptable to the council as landowner by the new deadline of 19 December 2008, then officers should move to Option 5, as described in section 8 of this report, and work with the stallholders and Hyde to develop a procurement package where the council would then seek a developer prepared to deliver the vision and work in partnership with the stallholders and Hyde; and
- (4) That an agreement in principle and subject to further information from the Open Market Traders Association, that the Board of the proposed Community Interest Company to be established by the Open Market Traders Association as a company limited by guarantee includes minority representation of the council and that no one interest should have majority representation.

Note: Councillor Mears having declared a personal and prejudicial interest left the meeting and took no part in the debate or decision on the item.

47. THE BRIGHTON CENTRE.

47.1 The Sub-Committee noted that the special circumstances for non-compliance with Council Procedure Rule 19, Access to Information Rule 5 and Section 100B 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) were that as a result of ongoing negotiations and discussions with Standard Life Investments which had not been concluded at the time of the despatch of the agenda.

47.2 The Sub-Committee considered a report of the Director of Strategy & Governance, which detailed the progress on the Brighton Centre Redevelopment Project (for copy see minute book).

47.3 **RESOLVED** – That the report be noted.

48. UPDATE ON OTHER MAJOR PROJECTS.

48.1 The Sub-Committee considered a report of the Acting Director of Cultural Services which provided an update of the position of the

various major projects which were not the subject of separate reports on the agenda (for copy see minute book).

48.2 **RESOLVED** – That the report be noted.

49. NEW CONSTITUTION – FUTURE ARRANGEMENTS.

49.1 The Sub-Committee considered a report of the Director of Strategy & Governance, concerning the arrangements for the work of the sub-committee under the proposed new executive arrangements for the council (for copy see minute book).

49.2 **RESOLVED** – That the report be noted.

50. ITEMS TO GO FORWARD TO COUNCIL

50.1 The sub-committee considered whether any items should be submitted to the 24th April Council meeting for information in accordance with Procedure Rule 20.3a.

50.2 **RESOLVED** –

That no items be referred to council for information.

PART TWO SUMMARY

51. OPEN MARKET – UP-DATE AND CONSIDERATION OF PROJECT OPTIONS – EXEMPT CATEGORY 3.

51.1 The Sub-Committee considered a report of the Acting Director of Cultural Services, concerning the Open Market and project options with regard to the lease of 3, 4, 5, & 6 Francis Street, Brighton.

51.2 **RESOLVED** – That the recommendations contained in the report be agreed.

Note: Councillor Mears having declared a personal and prejudicial interest left the meeting and took no part in the debate or decision on the item.

Councillors Hawkes, Kennedy, Mears, Mitchell, Morgan, Rufus and Young wished their names recorded as having abstained from voting on the above resolution.

52. THE BRIGHTON CENTRE – EXEMPT CATEGORY 3.

- 52.1 The Sub-Committee noted that the special circumstances for non-compliance with Council Procedure Rule 19, Access to Information Rule 5 and Section 100B(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) were that officers were keen to present the most up to date position on the status of SEEDA's application for grant funding to the Central Projects Review Group following the submission of the investment case, which was still in preparation at the time of the despatch of the Agenda.
- 52.2 The Sub-Committee considered a report of the Director of Strategy & Governance, which detailed the current status of the SEEDA application for grant funding to the Central Projects Review Group and progress on the Procurement Strategy with Standard Life.
- 52.3 **RESOLVED** – That the report be noted.

53. BLACK ROCK REDEVELOPMENT – EXEMPT CATEGORY 3.

- 53.1 The Sub-Committee noted that the special circumstances for non-compliance with Council Procedure Rule 19, Access to Information Rule 5 and Section 100B(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) were as a result of Brighton Arena Limited's (BAL) ongoing negotiations and discussions with prospective lead investors and the Council, which had not been concluded at the time of the despatch of the agenda.
- 53.2 The Sub-Committee considered a report of the Director of Environment, which set out and reviewed the progress to date in relation to activities undertaken by Brighton International Arena (BIA), a revised programme for taking the project forward and future funding arrangements.
- 53.3 **RESOLVED** – That the recommendations contained in the report be agreed.

54. PART 2 ITEMS

- 54.1 The committee considered whether or not items 51 - 53 should remain exempt from disclosure to the press and public.
- 54.2 **RESOLVED** – That items 51 – 53 contained in Part 2 of the agenda and decisions thereon remain exempt from disclosure to the press and public.

The meeting concluded at 6.05p.m

Signed

Chair

Dated this

day of

2008

