

**For general release**

**EXTRACT FROM THE PROCEEDINGS OF THE CABINET MEETING HELD ON  
12 FEBRUARY 2009**

Present: Councillors Mears (Chairman), Mrs Brown, Caulfield, Fallon-Khan, Kemble,  
K Norman, Simson, Smith and Young

Also in attendance: Councillors Kennedy (Green Party Spokesperson), Mitchell  
(Opposition Spokesperson) and Watkins (Liberal Democrat  
Spokesperson).

Other Members present: Councillor Cobb

**PART ONE**

**172 ICE RINK, QUEEN SQUARE, UPDATE ON DISPOSAL**

172.1 The Cabinet considered a report of the Interim Director of Finance & Resources that sought approval for the disposal of the Ice Rink Site and the adjoining office building at 11 Queen Square, Brighton (for copy see minute book).

172.2 The Chairman invited Councillor West to address the meeting.

172.3 Councillor West spoke as a Ward Councillor and on behalf of concerned residents in the neighbourhood. He recognised the need for development in the city, but was concerned that residents had not been consulted at this stage. He appreciated that the majority of concerns raised were pertinent directly to the Planning Committee but felt that, given the sensitive nature of the area and the number of existing community groups, that consultation at this stage would have been beneficial.

172.4 Councillor West noted that the report contained reference to a proposed five or six storey building. This, he stated, was contrary to the council's own planning guidance. He felt that a proposal of this type would struggle to obtain planning consent and could have deleterious consequences for future proposals for the site. Councillor West requested that that the recommendations made in the report not be approved.

172.5 Councillor West noted that the report stated that Ward Councillors had been consulted; he explained that this was not the case.

172.6 Councillor Fallon-Khan apologised for the erroneous information contained within the report as regards consultation with Ward Members. He accepted that this had not happened.

172.7 Councillor Fallon-Khan noted that the recommendation to dispose of the long leasehold interest did not pre-judge the outcome of the planning process, or fetter planning officers in assessing the merits of the proposed scheme in making their recommendation to the planning committee. The sale was subject to planning consent which had to be obtained following consultations by the developer with interested parties.

172.8 Councillor Fallon-Khan understood that all of the interested parties had copies of the informal planning brief and understood the factors constraining the development of the site. He appreciated the concerns expressed about a possible 6 storey development, noting that none of the sketch proposals envisages 6 storeys above ground level.

172.9 Councillor Mitchell welcomed the development of the site, but questioned the lack of consultation with local groups. She was also concerned about the sensitivity of the location, noting the church and churchyard in the immediate vicinity.

172.10 Councillor Mitchell asked which background documents had been referenced to support the provision of additional hotel bed spaces in the city.

172.11 Councillor Fallon-Khan appreciated the need for sensitive development in the area and the specific issues relating to the church and its environs. He ensured Members that there would be proper consultation at the appropriate time.

172.12 Councillor Kemble noted that a Local Development Framework document contained reference to the number of bed spaces designated for the city. He requested that officers provide the information to Councillor Mitchell.

172.13 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:

(1) That Cabinet approve and authorise

(a) the disposal of the Ice Rink site and 11 Queen Square on a 150 year lease to the successful bidder for a premium and a peppercorn rent, following the full evaluation of informal bids and recommendations by the council's appointed agents, Oakelys, as outlined in item 3.9 of this Agenda and detailed in the part two report.

(b) the detailed terms to be settled by the Director of Finance & Resources, Assistant Director Property & Design and the Solicitor to the

Council provided the terms are certified by the valuer to be the best consideration reasonably obtainable.

- (2) Should the disposal to the preferred party not be completed, to approve and authorise the disposal to either of the short listed parties, or other bidders on similar terms with an agreed target premium.

