

## NOTTINGHAM CITY COUNCIL

### OVERVIEW AND SCRUTINY - CALL IN PANEL

**MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 7 December 2016 from 12.04 - 13.13**

#### **Membership**

##### Present

Councillor Georgina Culley (substitute for  
Councillor Andrew Rule)  
Councillor Patience Uloma Ifediora  
Councillor Glyn Jenkins  
Councillor Sue Johnson  
Councillor Brian Parbutt (Chair)  
Councillor Anne Peach

##### Absent

Councillor Azad Choudhry  
Councillor Gul Nawaz Khan  
Councillor Neghat Khan

#### **Colleagues, partners and others in attendance:**

Councillor Jim Armstrong - Call-in signatory  
David Bishop - Deputy Chief Executive/Corporate Director for  
Development and Growth  
Callum Bruce - Political Assistant to the Conservative Group  
Councillor Jon Collins - Leader of the Council/Portfolio Holder for Strategic  
Regeneration  
Nigel Hawkins - Head of Culture and Libraries  
Rav Kalsi - Senior Governance Officer  
Rachel Mottram - Executive Officer  
Councillor Andrew Rule - Call-in signatory  
Councillor Dave Trimble - Portfolio Holder for Leisure and Culture  
Rebecca Wilson - Executive Officer  
Laura Wilson - Senior Governance Officer  
Adam Volz - Interim Political Assistant to the Labour Group

#### **10 APOLOGIES FOR ABSENCE**

Councillor Azad Choudhry – personal  
Councillor Neghat Khan – other Council business

#### **11 DECLARATIONS OF INTERESTS**

None.

#### **12 CONFIRMATION OF VALIDITY OF CALL-IN REQUEST RELATING DELEGATED DECISION 2649 - APPROVAL OF THE DISPOSAL OF THE ANGEL ROW SITE.**

Councillor Brian Parbutt (Chair) explained the procedure for the hearing to the attendees. He outlined the reasons for the call-in and requested the Panel to confirm its validity.

**RESOLVED to confirm the call-in request as valid on the following grounds:**

**(1) Inadequate consultation relating to the decision:**

**There has been insufficient consultation with library users, local interest groups and given the library is used by residents on a city wide basis councillors as a whole;**

**(2) Relevant information not considered:**

**Plans have not yet been finalised for either an interim service whilst the redevelopment is in progress and there is insufficient information available for whether a replacement site will be included in the redeveloped site or what contingency is in place if the provision in the redeveloped site is unsuitable.**

**There is no plan finalised for the clearing and storage of the archive records at the library. There needs to be a proper containment plan in place to ensure they are not lost as part of the site's redevelopment. This should be finalised before the current occupancy of the building ceases following any sale of the building;**

**(3) Justification for the decision open to challenge on the basis of evidence considered:**

**The documentation accompanying the decision does not consider or analyse the impact of alternative/ existing Grade A commercial property on the projections for occupancy of the developed site.**

**The forecasts included do not provide explanation for where any shortfall will be met in the event that letting targets for the redeveloped site are not met.**

**13 CONSIDERATION OF CALL-IN REQUEST**

Following the report of the Corporate Director for Strategy and Resources, the Committee was asked to:

- consider the information provided in relation to Delegated Decision 2649 'Approval of the disposal of the Angel Row site' and the reasons given for requesting a call-in of that decision and use that information to inform questioning and discussion;
- focus on the reasons for the call-in as given in the call-in request form, and based on the evidence from the Leader, his supporting colleague(s), and the councillors who requested the call-in decide to either:
  - i) require that the decision is reconsidered, and make recommendation(s) as to what should be taken into consideration; or

- ii) agree that the decision does not need to be reconsidered and can be implemented.

Councillor Jon Collins presented the Panel with the following information in relation to the reasons for taking the decision:

- (a) Creating a development plan for a new Central Library was an election pledge which now forms part of the Council Plan and was adopted by Council in November 2015. The delegated decision is the first stage in exploring how to achieve this;
- (b) The decision approves the disposal of the site in principle, subject to agreeing the heads of terms to enter into a 12 month pre-contract period. During this period, the Council will explore how best to deliver a new Central Library on the current site and only if the Council is satisfied, will the decision lead to a binding agreement;
- (c) The Central Library site is an important facility but is in need of investment in order to provide a high quality library in Nottingham. Nottingham does not have the resources places like Birmingham have to invest in a new library so working with a developer is a way of attracting substantial investment into the site;
- (d) Nottingham is unable to attract inward investment across the city owing to a lack of grade A office space. There have been a number of enquiries from investors in the past but Nottingham has lost out as businesses look elsewhere for quality office space;
- (e) This decision provides a good opportunity for the Council to work in partnership with a developer on an attractive site as well as generating £3 million for the Council;
- (f) The Council has already had initial discussions with the developer around the principles of providing library space as part of the development but there are no detailed designs to share at this stage. The 12 month pre-contract phase will provide time to establish satisfactory proposals on how best to deliver a quality central library. The Council has a history of investing in libraries across the city and many libraries have been consolidated into joint service centres.

Councillor Andrew Rule and Councillor Jim Armstrong (Call-in signatories), responded with the following information:

- (g) There has been a lack of consultation around the decision to dispose of the site on Angel Row. The only opportunity members of the public have had to review the decision has been since the decision was published on 10 November 2016. There has been no opportunity for interested groups or individuals to feed into the decision making process;
- (h) Central Library is accessed by users across all wards of the city and an opportunity to consult with all city councillors has been missed;

- (i) There appears to have been little thought to an interim library provision in the city. By pursuing a developer-led approach, there is a fear that the Council will miss its opportunity to feed into the process as there are no plans for what the new library might look like;
- (j) Should the redeveloped Angel Row site be deemed unsuitable for a library, there appears to be little regard for what a replacement site would be or upon what criteria it would be judged;
- (k) Central Library houses archived material and a plan should be established prior to any agreement with a developer to ensure that these records are appropriately catalogued and stored to ensure that they are not lost or damaged as part of the redevelopment.

Councillor Jon Collins raised the following in response to the points raised:

- (l) Council officer time and capacity is limited so their efforts at this stage are best placed negotiating with the developer. At the end of the 12 month pre-contract period, if the Council are not satisfied with the proposals the deal will not go ahead;
- (m) Consultation will take place once the Council and the developer have established the detailed design proposals. As the local planning authority, the Planning Committee will also review any detailed application for design work on the site;
- (n) The Council has to manage substantial amount of cuts in its budget and does not have the capital to invest millions into a new central library. The approach detailed in Delegated Decision 2649 will secure grade A office space in Nottingham as well as a new fit for purpose central library facility. If, after consultation, the proposals are not supported, then Nottingham will not get that investment into the site or a new Central Library facility;
- (o) The Council has a track record of investing in libraries in Nottingham, for example, in Bulwell, St Ann's and Strelley. Nottingham continues to do this, despite other local authorities closing their library stock;
- (p) There are no current plans for the interim period but the 12 month pre-contract period will provide an opportunity to consider those proposals in more detail.

Following questions from Panel members, the following points were raised:

- (q) This decision provides an opportunity to attract inward investment into the city whilst providing a new library site. This formed part of the adopted Council policy and the Council is committed to realising this;
- (r) The 12 month pre-contract period will allow time for consultation to take place with the people of Nottingham. The Council will then take another decision on whether to proceed.

#### **14 EXCLUSION OF THE PUBLIC**

The Panel decided to exclude the public from the meeting during consideration of the next agenda item in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

#### **15 CONFIRMATION OF VALIDITY OF CALL IN REQUEST RELATING TO DELEGATED DECISION 2649 - APPROVAL OF THE DISPOSAL OF THE ANGEL ROW SITE - EXEMPT APPENDICES**

The Panel considered the exempt appendix to the report of the Corporate Director for Strategy and Resources and noted its content.

The Panel then concluded that there were no further reasons for excluding the public from the meeting and invited members of the public back for its deliberations and decision.

#### **16 CONSIDERATION OF CALL-IN REQUEST**

**RESOLVED to agree that delegated decision 2649 - 'Approval of the disposal of the Angel Row site' does not need to be reconsidered and can be implemented for the following reason:**

- **Delegated decision 2649 approves the disposal of the Angel Row site in principle, subject to agreeing the heads of terms to enter into a 12 month pre-contract period. During this period, the Council will explore how best to deliver a new central library on the current site and carry out consultation with affected parties, which is reasonable in the circumstances.**

Councillor Georgina Culley requested that her vote against the resolution be recorded.