



NOTTINGHAM CITY COUNCIL
OVERVIEW AND SCRUTINY - CALL IN PANEL

Date: Wednesday, 7 December 2016

Time: 12.00 pm

Place: Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG

Councillors are requested to attend the above meeting to transact the following business

Corporate Director for Strategy and Resources

Senior Governance Officer: Laura Wilson **Direct Dial:** 0115 8764301

- 1 APOLOGIES FOR ABSENCE**
- 2 DECLARATIONS OF INTERESTS**
- 3 CONFIRMATION OF VALIDITY OF CALL-IN REQUEST RELATING TO DELEGATED DECISION 2649 - APPROVAL OF THE DISPOSAL OF THE ANGEL ROW SITE.** 3 - 20
- 4 CONSIDERATION OF CALL-IN REQUEST** 21 - 26
- 5 EXCLUSION OF THE PUBLIC**
To consider excluding the public from the meeting during consideration of the remaining items in accordance with Section 1004(a) 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.
- 6 CONFIRMATION OF VALIDITY OF CALL IN REQUEST RELATING TO DELEGATED DECISION 2649 - APPROVAL OF THE DISPOSAL OF THE ANGEL ROW SITE - EXEMPT APPENDICES** 27 - 46

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT THE SENIOR GOVERNANCE OFFICER SHOWN ABOVE, IF POSSIBLE BEFORE THE DAY OF THE MEETING

CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST 15 MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES

CITIZENS ARE ADVISED THAT THIS MEETING MAY BE RECORDED BY MEMBERS OF THE PUBLIC. ANY RECORDING OR REPORTING ON THIS MEETING SHOULD TAKE PLACE IN ACCORDANCE WITH THE COUNCIL'S POLICY ON RECORDING AND REPORTING ON PUBLIC MEETINGS, WHICH IS AVAILABLE AT WWW.NOTTINGHAMCITY.GOV.UK. INDIVIDUALS INTENDING TO RECORD THE MEETING ARE ASKED TO NOTIFY THE GOVERNANCE OFFICER SHOWN ABOVE IN ADVANCE.

OVERVIEW AND SCRUTINY COMMITTEE – CALL IN PANEL
7 DECEMBER 2016
CONFIRMATION OF VALIDITY OF CALL-IN REQUEST RELATING TO DELEGATED DECISION 2649 – APPROVAL OF THE DISPOSAL OF THE ANGEL ROW SITE
REPORT OF THE GOVERNANCE MANAGER

1 Purpose

- 1.1 A call-in request relating to Delegated Decision 2649 has been received. The purpose of this agenda item is to consider the validity of this call-in request.

2 Action required

- 2.1 The Committee is asked to confirm that the call-in request relating to Delegated Decision 2649 is valid.

3 Background information

- 3.1 The Council’s call-in procedure is set out in the Council’s Constitution. A guide to the call-in process is attached as an appendix to this report.

- 3.2 Delegated Decision 2649 was published on 10 November 2016 and the last date for call-in was 17 November 2016. It was not exempted from the call-in process. A copy of the delegated decision has been attached as an appendix to this report. The exempt appendices to the decision have also been attached to the agenda for Councillors’ consideration.

- 3.3 The Call-In Request Form was received by the Democratic Services Team on 17 November 2016 having been signed by Councillors Armstrong and Rule. A copy of the Call-In Request Form is attached as an appendix to this report. The Call-In Request Form identified the following reasons for call-in:

- 3.4 The decision is outside the budget/ policy framework

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.

- 3.5 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.

3.6 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.

3.7 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.

3.8 On the basis of the information provided, the Governance Manager has confirmed the validity of 3.5, 3.6 and 3.7 above. The Governance Manager commented that:

3.9 “In terms of the reasons for call-in, I am satisfied that the request is valid in respect of reasons b) Inadequate consultation relating to the decision, c) Relevant information not considered, and e) Justification for the decision open to challenge on the basis of evidence considered. In terms of reason a) The decision is outside the budget/ policy framework, this is considered an invalid reason for call-in because the decision falls within the budget and policy framework as outlined in the Constitution.”

3.10 The Call-In Panel is asked to endorse this view.

4 List of attached information

- 4.1 The following information can be found in the appendices to this report
- Appendix 1** – Overview and Scrutiny: Guide to Call-In
 - Appendix 2** – Delegated Decision 2649 – Approval of the disposal of the Angel Row site
 - Appendix 3** – Call-in Request Form
 - Appendix 4 (Exempt)** – Exempt Appendix to the delegated decision
 - Appendix 5 (Exempt)** – Exempt Appendix to the delegated decision
 - Appendix 6 (Exempt)** – Exempt Appendix to the delegated decision

5 Background papers, other than published works or those disclosing exempt or confidential information

5.1 None

6 Published documents referred to in compiling this report

6.1 Nottingham City Council's Constitution -
<http://www.nottinghamcity.gov.uk/about-the-council/nottingham-city-councils-constitution/>.

7 Wards affected

7.1 Bridge and city wide

8 Contact information

Nancy Barnard
Governance Manager
Nancy.barnard@nottinghamcity.gov.uk
0115 8764312

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Overview and scrutiny: Guide to call-in

What is call-in

Call-in is a mechanism for scrutinising Executive decisions. Overview and scrutiny has the power to ask for an Executive decision to be reconsidered if, during the five working days immediately following an Executive decision, valid concerns are raised about the way in which the decision has been taken, for example that relevant information was not considered. This power is set out in national legislation and arrangements for putting it into practice are in the Council's Constitution.

Making a request to call-in a decision

Executive decisions are published on the Council's website. Following publication of an Executive decision there is a period of five working days during which non-executive councillors can request that the decision be called-in. The decision is not allowed to be implemented until the period of five working days has expired.

Decisions that can be called-in are those of:

- The Executive Board
- A committee of the Executive Board
- An individual Portfolio Holder
- Executive decision made by an Area Committee
- Executive decisions (£50,000 or more) made by an officer under authority delegated by the Leader, Executive Board or a committee of the Executive Board or by an officer to officer sub-delegation of powers within the Council's Scheme of Delegation

with the exception of decisions made under the urgency procedure, which cannot be called-in.

Requests to call-in a decision must be made in writing using the Call-In Request Form and signed by three non-executive councillors. Where a political group comprises only 3 or 2 councillors, and where there are no other minority groups or independent councillors on the Council, the requirement for three councillors to request reconsideration of the decision (call-in) is reduced to 2 (where the group comprises 3 councillors) and to 1 (where the group comprises 2 councillors).

Copies of the Call-In Request Form are available from the Constitutional Services Team (contact details at the end of this Guide).

When requesting a decision is called-in, at least one of the following reasons must be cited, along with further explanation for the reason(s) given:

- The decision is outside the Council's policy and/or budgetary framework
- Inadequate consultation relating to the decision
- Relevant information not considered
- Viable alternatives not considered

- Justification for the decision to be open to challenge on the basis of the evidence considered.

What happens when a request to call-in a decision is received

The Governance Manager is responsible for assessing the validity of call-in requests. If any doubt remains the Monitoring Officer will make the decision on whether the request is valid or not. Defamatory and frivolous requests will be rejected.

At this time, the relevant decision-maker, Portfolio Holder, Director and contact colleague will be informed that implementation of the decision is suspended until the outcome of the call-in has been determined. If the suspended decision relates to a contract or other procurement issue, the Contract Procurement Manager should also be notified.

The Call-In Panel (a sub-committee of the Overview and Scrutiny Committee) is responsible for considering call-in requests. Therefore once a request is considered to be valid, a meeting of the Panel will be scheduled. This meeting must be held within seven working days of the receipt of the request, or at a later date if agreed by the Chair of Overview and Scrutiny.

Meetings of the Call-In Panel

The purpose of the Call-In Panel meeting is to:

- a) Agree that the call-in is valid as set out in the Council's Constitution
- b) Consider whether the Executive decision should be referred back to the decision-maker for further consideration or whether it can be implemented.

Suggested procedure to be followed

When the meeting begins the Chair will:

1. Ask the Panel to agree whether the call-in is valid and agree the parameters for the discussion.
2. Ask the relevant Portfolio Holder (or relevant decision maker) to briefly outline details of, and reasons for their decision [suggested time: 10 minutes]
3. Ask a representative of the councillors who requested the call-in to briefly outline their concerns and reasons for these [suggested time: 10 minutes]
4. Ask the decision maker (and their supporting colleagues) to briefly respond to the points raised [suggested time: 10 minutes]

Members of the Call-In Panel will then discuss the call-in request, the decision and invite the decision taker and the councillors who requested the call-in to respond to any questions raised by the Panel.

The Chair will invite the decision maker and a representative of the councillors who requested the call-in to sum up any final comments [suggested time: 5 minutes each]. Following this, the decision maker (and their supporting colleagues) and the councillors who requested the call-in may leave the meeting if they chose to as they are not required to remain at the meeting during the deliberations.

Focusing on the reasons for the call-in as given in the Call-In Request Form, and based on the evidence from the decision maker and the councillors who requested the call-in, the Panel will then decide to either:

- a) Require that the decision is reconsidered, and make recommendation(s) as to what should be taken into consideration; or
- b) Agree that the decision does not need to be reconsidered and can be implemented.

In both cases, reasons will be given by the Panel for its decision.

If the Panel agrees that the decision should be reconsidered it can:

- a) Refer the decision back to the decision-maker for reconsideration; or
- b) Refer the decision to full Council if they feel that the decision made is contrary to the Council's policy and/or budgetary framework.

In addition, the Panel can make other relevant recommendations which will be referred to the relevant Portfolio Holder, or the Executive Board for response.

What happens following the meeting of the Call-In Panel

Following the meeting, the relevant decision-maker, Portfolio Holder, Director and contact colleague will be informed of the outcome of the meeting.

If the Panel decides that the decision does not need to be reconsidered, then it can be implemented immediately.

If the Panel refers the decision back to the decision-maker then it will be reconsidered in light of comments made by the Panel. The decision-maker can decide whether to amend the original decision or not before adopting a final decision. This final decision cannot be subject to further call-in.

Additional recommendations made by the Panel will be treated in the same way as any other recommendations made by overview and scrutiny, and referred to the relevant Portfolio Holder or Executive Board. They will be asked to provide a response to say whether they agree to implement the recommendation(s) and how they intend to do so. Progress on implementation will then be reviewed at a later date. If they decline to implement a recommendation they will be asked to explain why.

Contact information

For further information about call-in, or any other matters related to overview and scrutiny, contact Constitutional Services

Jane Garrard	0115 8764315	jane.garrard@nottinghamcity.gov.uk
Rav Kalsi	0115 8763759	rav.kalsi@nottinghamcity.gov.uk
Laura Wilson	0115 8764301	laura.wilson@nottinghamcity.gov.uk

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Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2649
Author:	Peter Carroll
Department:	Development
Contact:	Peter Carroll (Job Title: Head of Portfolio Investment & Development, Email: peter.carroll@nottinghamcity.gov.uk, Phone: 01158763963)
Subject:	Approval of the disposal of the Angel Row site.
Key Decision (decision valued at more than £1million):	Yes
Key Decision (decision affects 2 or more wards):	Yes
Total Value:	£4M land receipt plus potential revenue value of up to £12.4M (NPV). (Type: Capital and Revenue)
Decision Being Taken:	<p>To approve in principle the disposal of the Angel Row site to Henry Boot Developments Ltd, subject to agreement of Heads of Terms to enter into a 12 month pre-contract period with them leading to a binding development contract and agreement to lease and, subject in parallel to the development of a sustainable concept and operating model for the 30,000 sq. ft. shell space contained within the project.</p> <p>To agree that authority to agree the Heads of Terms and enter into the legal contracts is delegated to the Corporate Director of Development, in conjunction with the Leader of the Council, and the Council's Legal and Finance Directors.</p>

Reasons for the Decision(s)

There is an acknowledged shortage of Grade A office space in Nottingham, which is frustrating the growth plans of indigenous and inward investment businesses. The Angel Row site has been identified as being suitable for potential redevelopment to accommodate Grade A office space. The Council has carried out an initial process of inviting proposals from interested developers; the best three proposals were shortlisted for further clarification. Finalised proposals were then invited from these three developers and the preferred solution for the disposal of the site is the bid put forward by Henry Boot Developments Ltd.

The Nottingham Central Library which is currently situated at the Angel Row site is somewhat dated. The Council is reviewing options for future reprovion of the library and a separate report will follow, which will consider the detailed operational arrangements for the continued provision of the library.

Other Options Considered:

A number of options have been appraised during the course of discussions with interested developers. Details of the proposals and options discussed are contained within the exempt appendix.

Background Papers:

None

Published Works:

None.

Affected Wards:

Citywide

Colleague / Councillor Interests:

None.

Any Information Exempt from publication:

Yes

Exempt Information:

Description of what is exempt:

The commercially sensitive proposals for the site made by the three private development companies are included within an exempt appendix.
Finance, Legal and separate Property advice are all included within an exempt appendix.

An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972

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3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

The public interest in maintaining the exemption outweighs the public interest in disclosing the information because this is commercially sensitive information, which if understood by competitors could undermine the projects viability.

5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

The public interest in maintaining the exemption outweighs the public interest in disclosing the information because the information includes confidential legal advice which if understood by competitors could undermine the projects viability.

Documents exempt from publication:

2016 10 18 - Angel Row Financial Comments.docx, Leaders key Decision - exempt legal advice on Angel Row 29 09 16.docx, Angel Row Exempt Report 280916v1.6.pdf

Consultations:

Date: 13/07/2016
Ward Councillors: Michael Edwards, David Trimble, Nicola Heaton
Comments were requested.

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Date: 04/07/2016
Other City Council Bodies: Programme Assurance Group Meeting:
It was the overall assessment of the Project Assurance Group (PAG) that the project is worth pursuing as an investment opportunity to support the regeneration and economic development of the City, subject to the recommendations set out in their report.

It is expected that the recommendations are dealt with in advance of seeking formal approval to enter into a contract with the developer.

A report has been submitted to PAG members updating them on progress.

Date: 14/07/2016
Other: Corporate Director, Commercial and Operations
Outcome of the discussion incorporated into the report.

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

No crime and disorder implications.

Equality:

EIA not required. Reasons: Any changes in policy and service provision will be considered under a separate report.

Relates to Council Property Assets: Yes

Decision Type: Leader's Key Decision

Subject to Call In: Yes

Call In Expiry date: 17/11/2016

Advice Sought: Legal, Finance, Procurement

Legal Advice: This advice is exempt from publication and is contained within exempt appendices A and B
Advice provided by Andrew James (Team Leader Contracts and Commercial) on 04/10/2016.

Finance Advice: This advice is exempt from publication and is contained within an exempt appendix Advice provided by Tom Straw (Senior Accountant - Capital Programmes) on 18/10/2016.

Procurement Advice: Based on the understanding that Legal Services have advised that this will be a land deal, there would be no significant procurement implications.
Should any procurement(s) be required as a result of changes to the proposal or any further decisions taken, formal tender exercises should be carried out in conjunction with the Procurement Team and in line with Contract Procedure Rules and the Public Contracts Regulations.

Property Advice: This advice is exempt from publication and is contained within exempt appendix C. Advice provided by Peter Carroll (Head of Portfolio Investment & Development) on 18/10/2016.

Signatures:
Jon Collins (Leader of the Council)
SIGNED and Dated: 10/11/2016
David Bishop (Deputy CE, CD for Development and Growth)
SIGNED and Dated: 10/11/2016

Nottingham City Council
Executive Decision Call-In Request Form

This form should be submitted to the Governance Manager, Constitutional Services, Resources by midnight on the fifth working day after the decision publication date. The signed form should be submitted in original hard copy. If the form is being submitted after the office has closed on the fifth working day, it should be signed, scanned and emailed to *all* of the following individuals:

Senior Governance Officers
jane.garrard@nottinghamcity.gov.uk
rav.kalsi@nottinghamcity.gov.uk
laura.wilson@nottinghamcity.gov.uk

The original hard copy of the form must then be provided to the Governance Manager on the following morning.

For further information about the call-in procedure please see the Overview and Scrutiny Guide to Call-In and/ or contact the Senior Governance Officers on 0115 8764315 or 0115 8763759.

Date of decision publication: 10 November 2016

Portfolio Holder Decision reference number: 2649

or Executive Board minute number:

or Executive Board Sub Committee minute number:

or Area Committee minute number:

or Officer Decision reference number:

Description of decision: Approval of the disposal of the Angel Row site

The following signatories request that the above decision be called in.

1. Signature  Print name: Andrew Rule

2. Signature  Print name: Jim Armstrong

3. Signature Print name

Reason for requesting the decision be called in

The request for call-in must be based on one or more of the following reasons below.
[Tick the appropriate box or boxes and provide details for the reason, appending additional sheets if necessary]

<p><u>Reason for requesting call-in:</u> a) The decision is outside the budget/ policy framework</p> <p>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.</p>	
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<p><u>Reason for requesting call-in:</u> b) Inadequate consultation relating to the decision</p>	
<p>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.</p>	

<p><u>Reason for requesting call-in:</u> c) Relevant information not considered</p>	
<p>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.</p> <p>There is no plan finalised for the clearing and storage of the archive records at the library. There needs be a proper containment plan in place to ensure these are fully catalogued and stored 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.</p>	

<p><u>Reason for requesting call-in:</u> d) Viable alternatives not considered</p>	
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<p><u>Reason for requesting call-in:</u> e) Justification for the decision open to challenge on the basis of evidence considered</p> <p>There documentation accompanying the decision does not consider or analyse the impact of alternative/existing Grade A commercial property on</p>	
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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.

Suggestions for Call In Panel meeting

If the call in request is valid a meeting of the Call In Panel will be held. Please list below any evidence and/ or contributors that you think should be made available to the Call In Panel.

[Please note that these will be considered as suggestions only and the final decision on evidence and contributors will be made by the Chair of the Call In Panel.]

Suggested list of evidence to be provided/ contributors to attend the Call In Panel meeting

Nottingham Civic Society

Head of Library Services

Head of Property

For office use only:

Received on behalf of the Governance Manager by:  (signature)

Name: LAURA WILSON

Date: 17/11/2016

Time: 11.57 pm

Validation Check:
Governance Manager

Date of publication: 10/11/16 Date of call-in: 17/11/16 In time: YES / NO

Office checks that call-in is valid against requirements as set out in the Constitution:
 YES / NO

Reason: See Attached
.....
.....
.....
.....
.....

Completed by: N Bamard (signature)

Nancy Bamard (name)

Date: 22/11/17 Time: 15:00

Validation Check: (if necessary)

Monitoring Officer

Valid: YES / NO

Reason:
.....
.....
.....

Completed by: (signature)

..... (name)

Date: Time:

Referrals:

Date copied to Corporate Director / Portfolio Holder

Name of Corporate Director

Name of Portfolio Holder

Date copied to Chair of Overview and Scrutiny Committee:

Governance Manager Validation check

Call-in reasons – Approval of the Disposal of the Angel Row Site

1. The call-in request is in time, in writing, signed by the requisite number of councillors and identifies reasons for the call-in, as required under the call-in procedure.
2. The call-in is also valid in that the decision is not one exempted from call-in under the call-in procedure rules and is a relevant decision for call-in under those rules.
3. In terms of the reasons for call-in, I am satisfied that the request is valid in respect of reasons b) Inadequate consultation relating to the decision, c) Relevant information not considered, and e) Justification for the decision open to challenge on the basis of evidence considered.
4. In terms of reason a) The decision is outside the budget/ policy framework, this is considered an invalid reason for call-in because the decision falls within the budget and policy framework as outlined in the Constitution.

Nancy Barnard, Governance Manager
22/11/2016

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OVERVIEW AND SCRUTINY - CALL-IN PANEL
7 DECEMBER 2016
CONSIDERATION OF CALL-IN REQUEST REGARDING DELEGATED DECISION 2649 – APPROVAL OF THE DISPOSAL OF THE ANGEL ROW SITE
REPORT OF CORPORATE DIRECTOR FOR STRATEGY AND RESOURCES

1 Purpose

- 1.1 To consider the call-in request relating to delegated decision 2649 – Approval of the disposal of the Angel Row site.

2 Action required

- 2.1 The Committee is asked to:
- a) 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;
 - b) focusing on the reasons for the call-in as given in the call-in request form, and based on the evidence from the Portfolio Holder, 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.

3 Background information

- 3.1 The decision was published on 10 November 2016. Councillor Jon Collins, as the decision-taker, supported by David Bishop, Deputy Chief Executive/Corporate Director for Development and Growth, Kevin Shutter, Director of Strategic Asset and Property and Nigel Hawkins, Head of Culture and Libraries, as relevant colleagues, have been invited to attend the meeting to outline details of, and reasons for the decision and answer questions from the Panel regarding this. A written statement has been provided by Nottingham Civic Society.
- 3.2 The call-in request form was signed by Councillors Andrew Rule and Jim Armstrong. Councillor Andrew Rule will lead on outlining the reasons for requesting the call-in and to answer questions from the Panel regarding this.

- 3.3 Focusing on the valid reasons for the call-in as given in the call-in request form, and based on the evidence from the Portfolio Holder, supporting colleagues, and the Councillors who requested the call-in, the Panel needs to decide to either:
- a) require that the decision is reconsidered, and make recommendation(s) as to what should be taken into consideration; or
 - b) agree that the decision does not need to be reconsidered and can be implemented.

In both cases, the Panel needs to provide reasons for its decision.

- 3.4 If the Panel agrees that the decision should be reconsidered it can:
- a) refer the decision back to the Portfolio Holder for reconsideration; or
 - b) refer the decision to full Council if it feels that the decision made is contrary to the Council's policy and/or budgetary framework.
- 3.5 In addition, the Panel can make other relevant recommendations which will be referred to the relevant Portfolio Holder, or the Executive Board for response.

4 List of attached information

- 4.1 Appendix 1 – Submission by Nottingham Civic Society

5 Background papers, other than published works or those disclosing exempt or confidential information

- 5.1 None

6 Published documents referred to in compiling this report

- 6.1 DD2649 - Approval of the disposal of the Angel Row site, 10 November 2016

7 Wards affected

- 7.1 All wards

8 Contact information

Laura Wilson
Senior Governance Officer
0115 8764301
laura.wilson@nottinghamcity.gov.uk

Nottingham Civic Society: Submission to the Call-In Panel: Delegated Decision 2649 Central Library site on Angel Row

Summary

The Civic Society believes that the decision should be called in as:

- a commercial agreement is being made that effectively closes the Central Library without clear safeguards to maintain the Central Library, in its central location, in both the short and long term.
- that a major development has been implicitly approved (based on office space) without apparently taking into account the planning constraints that exist in this area

Introduction

The principle that the City Council can enter into commercial arrangements to help provide resources to deliver its services is not disputed by the Civic Society.

However, where the asset involved is the site of a publicly accessible resource, in this case the Central Library, then those arrangements should be open and transparent not only to ensure that the Central Library continues to be based in the centre of Nottingham but also that the due planning process will fully scrutinise the development.

Central Library Location

The Civic Society believes that the Central Library should remain in the centre of Nottingham at a location that is equally easily accessible as now.

Although an email from Jon Collins to the Society states *“The arrangement is based on the Library remaining on Angel Row within the development and the Council getting a capital sum to meet the internal set-up and transition costs,”* this is not a commitment as shown by the additional caveat *“I have nevertheless asked that before we make a final decision to keep Central Library on Angel Row we look to see if there are better options.”*

The concern is that the Central Library will be “temporarily” relocated elsewhere, possibly less accessible, during the development and then subsequently that this location becomes its permanent home.

The Central Library must be, as its name implies, not only the main collections site, but also located within the city centre, easily accessed by the city’s bus routes, and prominently situated on a well-used thoroughfare, in order to maintain current, and encourage new, use.

Attention must be paid to the proper accommodation of both printed and digital facilities and specialised sections such as the Children’s and Music libraries properly accommodated. Concern has been expressed that the well-used and well-respected Local Studies library may be at risk of being moved away from the city centre. This must not happen.

The library must remain a central resource for the city and the aspiration for new and improved facilities, ideally within the current site, is to be welcomed. This new library could, and indeed should, become an iconic symbol of Nottingham UNESCO City of Literature.

To be fair, Jon Collins does say *“that the whole reason for taking this decision has been to enable us to fulfil our Manifesto commitment to provide a new and refurbished Central Library”*.

Therefore, the formal Delegated Decision should contain, in the publicly accessible documents, detailed commitments to the intermediate and long term location of the Central Library.

Planning Considerations

The Central Library currently occupies a sensitive location in the Old Market Square Conservation Area.

Consequently the Civic Society would expect that the existing front range of the building would be retained with the new office space located behind; in this respect we are somewhat reassured by Peter Carroll who wrote in an email reply to the Society that *“the Council has every intention of retaining and refurbishing this part of the building.”*, although it is not a commitment.

Additionally the Civic Society is concerned that, on this occasion (unlike the London Road Petrol Filling Station site) the Council’s Design Guides are adhered to with respect to the height of buildings on Mount Street and Maid Marian Way and that proposed designs are brought before the Heritage Strategy Panel for consideration. In this case we are appreciative of Peter Carroll’s commitment that *“The City Council is fully aware of its planning guidance and the heritage issues involved”*.

However, already at least one website¹ contains far more details: that the development will be 120,000 sq. ft. and five to nine storeys high, along with a sample design (see Appendix A).

Extent of the site

The footprint of the planned development is not clear: there is currently the Central Library building and the small car park/loading bay behind it. However, there is an area beyond the boundary and up to Maid Marian Way (now paved) that is, it is believed, also owned by the City Council and was originally a development site identified in the Local Plan.

The sample design (Appendix A) does not show this being used which results in a tall building immediately behind the original façade. Utilising some or all of this additional area would clearly allow an equivalent amount of office space but with fewer storeys.

¹ <http://www.skyscrapercity.com/showthread.php?p=136617658>

Appendix A: Possible Design



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By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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