

## **Nottingham City Council**

### **Overview and Scrutiny - Call in Panel**

**Minutes of the meeting held remotely via Zoom on 18 September 2020 from 4.32 pm - 5.45 pm**

#### **Membership**

##### **Present**

Councillor Anne Peach (Chair)  
Councillor Georgia Power (Vice Chair)  
Councillor Gul Nawaz Khan  
Councillor Jane Lakey  
Councillor Ethan Radford  
Councillor Cate Woodward  
Councillor Andrew Rule

##### **Absent**

Councillor Carole McCulloch  
Councillor Pavlos Kotsonis

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

Councillor David Mellen - Leader of the Council and Portfolio Holder for Regeneration, Schools and Communication  
Nancy Barnard - Governance and Electoral Services Manager  
Chris Henning - Corporate Director for Development and Growth  
Peter Taylor - Principal Estates Surveyor  
Jason Tyler - Strategic Assets and Property Business Partner

#### **1 Apologies for absence**

Councillor Carole McCulloch – Personal Reasons  
Councillor Pavlos Kotsonis – Other Council Business

#### **2 Declarations of interests**

Councillor Cate Woodward declared an interest in the items on the Consideration of the Call-in, details of which are recorded in the exempt minutes. She did not consider this would necessarily require her to not participate in the meeting but stated that she would do so if necessary.

#### **3 Confirmation of Validity of Call-in Relating to Delegated Decision 3967 - Declare that Exchange Buildings is Surplus to Operational Requirements**

Nancy Barnard, Governance and Electoral Services Manager, introduced the report outlining the recommendation regarding which aspects of the call-in request were valid. The parts of the request confirmed by the Committee as valid would form the basis for the discussions in the rest of the meeting.

**Resolved to confirm the call-in request as valid on the following grounds, as identified in the Call-in Form:**

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

**“There has been no consultation with the public on the future of the Exchange Buildings.”**

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

**“There is no detail on how the annual maintenance cost is comprised to see if savings are possible.**

**“No breakdown has been provided evidencing how the refurbishment costs have been calculated.**

**“Details of any approaches made to purchase the property from third parties not considered.**

**“Details of disposal mechanisms not considered, ie sale on open market, auction or private treaty**

**Further detail on the validity of this aspect of the Call-in request is included in the exempt minutes.**

**(3) Viable Alternatives Not Considered**

**The Panel confirmed the reason, "No detail on alternative options considered, across different sectors, ie residential, retail and office." only.**

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

**“There is no detail on how the annual maintenance cost is comprised to see if savings are possible.**

**“No breakdown has been provided evidencing how the refurbishment costs have been calculated.**

**“Details of any approaches made to purchase the property from third parties not considered.**

**“Details of disposal mechanisms not considered, ie sale on open market, auction or private treaty.**

**Further detail on the validity of this aspect of the Call-in request is included in the exempt minutes.**

**Resolved to reject the following invalid aspects of the call-in request:**

**(5) The decision is outside of the budget/policy framework**

**(6) Part of Viable Alternatives not Considered**

**“No evidence that alternative methods of renovating the site whilst keeping it under Council control considered.”**

**4 Consideration of Call-in Request Relating to Delegated Decision 3967 - Declare that Exchange Buildings is Surplus to Operational Requirements**

The Panel considered the public aspects of the call-in request and the Portfolio Holder’s decision. Councillor David Mellen, Leader of the Council and Portfolio Holder for Regeneration, Schools and Communication began by presenting the decision taken, covering the following points:

- (a) The decision to rationalise Council buildings was taken as part of the decision to move into Loxley House and other former Council buildings including the Sandfield Centre and the Lawrence House have been sold and redeveloped. The offices in Exchange Buildings were part of the Loxley House business case.
- (b) The offices have been unoccupied for several years and are in poor condition with a significant maintenance liability. They have been considered for alternative use by the Council, for example as a potential home for a new library, but were found unsuitable.
- (c) The Council’s assets have been reviewed in order to support the capital programme and it is important to achieve best value for money. The offices are surplus to requirements and therefore the decision taken was to put them out to the open market.

Councillors Roger Steel and Kevin Clarke then spoke as representatives of the Councillors who had called the decision in to explain their reasons for doing so to the Panel. They highlighted the following points:

- (d) Exchange buildings, which is part of the wider Council House building, is an architecturally outstanding centrepiece to the city and should not be sold off.
- (e) Alternative uses, including redevelopment as a tourist attraction showcasing famous Nottingham people, and ways in which the maintenance cost can be reduced should be fully considered. The freehold should be retained by the City Council.
- (f) The budget situation, including the need to generate capital and protect jobs is understood but further consideration should be given to whether part of an iconic building should be sold off.
- (g) A city-wide consultation should be conducted prior to deciding to sell.

Councillor Mellen then responded to the points raised by the Councillors who had called-in the decision.

- (h) The building being offered for sale is the former council offices within Exchange Buildings. The Council House and other buildings in the complex are not within scope.
- (i) The offices have never been in public use and have stood empty for five years.

- (j) The importance of tourism is recognised and the Council's commitment to it is demonstrated in the redevelopment of the castle.
- (k) The Council House and all of exchange buildings has listed status which means the building must be preserved.
- (l) The business case for Loxley House, which included the Exchange buildings, was not objected to at the time.

Following questions from the Panel the following information was provided:

- (m) The Council will be retaining the freehold on the building and therefore retains a degree of control.
- (n) The listed status of the building also means that any changes will need to go through the planning process and the beauty and character of the building will be preserved.

**Resolved to note that the Panel were satisfied with the non-exempt sections of the decision and had no recommendations to the Portfolio Holder.**

## **5 Exclusion of the Public**

**Resolved to exclude the public from the meeting during consideration of the remaining agenda items 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 outweighed the public interest in disclosing the information, as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act.**

## **6 Confirmation of Validity of Call-in Relating to Delegated Decision 3967 - Declare that Exchange Buildings is Surplus to Operational Requirements - Exempt Appendices**

The Panel noted the information in the exempt appendices. Further information is recorded in the Exempt Minutes.

## **7 Consideration of Call-in Request Relating to Delegated Decision 3967 - Declare that Exchange Buildings is Surplus to Operational Requirements - Exempt Information**

The Panel noted the exempt information. Details of the discussion are recorded in the exempt minutes.

**Resolved to note that the Panel were satisfied with the exempt sections of the decision and had no recommendations to the Portfolio Holder. The entire decision can therefore be implemented as approved by the Portfolio Holder.**