

CABINET MEETING

Agenda Item 185A

Brighton & Hove City Council

Subject:	Call-In of Cabinet Decision to Dispose of Ice Rink, Queen Square		
Date of Meeting:	12 March 2009		
Report of:	The Director of Strategy and Governance		
Contact Officer:	Name:	Tom Hook	Tel: 29-1110
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Key Decision:	Yes	CAB 7173	
Wards Affected:	St Peter's and North Laine		

FOR GENERAL RELEASE

Note: The Special Circumstances for non-compliance with the council Procedure Rule 23, access to information and Section 100B(4) of the Local Government Act as amended (items not considered unless the agenda is open for inspection at least 5 days in advance of the meeting) are that it was not possible to compile and gain approval for information germane to this report (specifically the draft minutes of the 03 March Overview & Scrutiny Commission meeting) in time for the despatch of the agenda.

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report relates to the special meeting of the Overview & Scrutiny Commission on 03 March 2009, convened to consider the call-in of the Cabinet decision in relation to disposal of the Ice Rink, Queen Square site (12 February 2009)
- 1.2 This report sets out the draft minutes from the 3 March OSC meeting at Appendix A and re-prints all the papers made available at that meeting excluding Part 2 items (Appendix B). Appendix C is the 12 February Cabinet report on the disposal.

2. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY COMMISSION:

- 2.1 That the Cabinet, in accordance with Part 6, paragraph 16.10 of the Council's constitution and having regard to the resolutions of the Overview and Scrutiny Commission set out below,
 - a) Consider whether to amend their decision of the 12th February or not, before reaching a final decision on the disposal of the Queens Square Ice Rink site.
 - b) Consider the further recommendations of OSC set out in paragraphs 2.3 (b) – (d) and 2.4
- 2.2 **Resolution of the Overview and Scrutiny Commission**
 - 2.2 (a) That the decision taken by Cabinet on 12 February 2009 in relation to the disposal of the Ice Rink, Queen Square, be noted

(b) That the subsequent call-in request be noted

(c) That the additional information supplied by the Interim Director of Finance and Resources be noted

2.3 (a) That the decision be referred back to Cabinet for reconsideration taking into account the following recommendations.

(b) That the Planning Department be requested to draw up a robust Planning Framework for this site that would include consultation with the local community before any subsequent decision is taken

(c) That this Planning Framework be appended to any future cabinet report pertaining to the disposal of this site

(d) That relevant extracts from the Hotel Futures Supplementary Planning Guidance be appended to any future Cabinet report if it is decided to pursue the option of an hotel for the site

2.4 (a) That Cabinet be asked to ensure that the Council consults properly with Ward Councillors

(b) That in consultations with Ward Councillors it is made clear that their views are being sought and that relevant information will be available to them to form a view. A reasonable timeframe for requesting further information and for replies to be made be clearly indicated

3. RELEVANT BACKGROUND INFORMATION

3.1 Details of the 12 February 2009 Cabinet decision in regard to disposal of the Ice Rink, Queen Square site and of the subsequent request by Councillor Pete West and his colleagues on the Green Group plus papers considered by 3 March Overview and Scrutiny Commission in determining the call-in request, are attached at Appendices B and C.

3.2 A draft minute of the 3 March Overview & Scrutiny Commission meeting is also included as Appendix A to this report.

4. CONSULTATION

4.1 None has been undertaken in relation to this report

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 None in relation to this report; but members should be aware of the implications to the 12 February Cabinet report and the 03 March Overview & Scrutiny Commission report (both re-printed in the papers accompanying this report).

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 The Overview and Scrutiny Commission evaluated whether or not to send the original decision back to Cabinet for reconsideration.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 Recommendations are based on the resolution of the Overview and Scrutiny Commission of the 3rd March.

SUPPORTING DOCUMENTATION

Appendix A: Draft minutes of the 3 March 2009 Overview and Scrutiny Commission (OSC) meeting

Appendix B: All papers submitted to 3 March OSC (with the exception of the cabinet report) including those printed on pink paper in the confidential part of the OSC agenda that were subsequently brought forward into Part 1 open session. Papers remaining exempt from disclosure are listed below at Part 2.

Appendix C: Report to 12 February Cabinet on Disposal of Ice Rink Part 1

PART 2:

Appendix D: Report to 12 February Cabinet on Disposal of Ice Rink Part 2

Appendix E: Exchanges with interested parties and community groups

Documents in Members' Rooms/Background Documents

None

