

BRIGHTON & HOVE CITY COUNCIL
POLICY & RESOURCES COMMITTEE

3.00pm 30 MAY 2012

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor J Kitcat (Chair) Councillors Bowden, Littman (Deputy Chair), Hamilton, Jarrett, Mitchell, A Norman, Peltzer Dunn, G Theobald (Opposition Spokesperson) and West.

PART ONE

1. PROCEDURAL BUSINESS

(a) Declarations of Substitutes

1.1 Councillors Bowden and Jarrett declared that they were attending the meeting as substitutes for Councillors Wakefield and Shanks respectively.

(b) Declarations of Interest

1.2 There were no declarations of interest.

(c) Exclusion of Press and Public

1.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of the items listed on Part 2 of the agenda.

1.4 **RESOLVED:** That the press and public be excluded from the meeting during consideration of the item listed on Part 2 of the agenda.

2. CHAIR'S COMMUNICATIONS

2.1 The Chair welcomed everyone to the first meeting of the Policy & Resources Committee under the new governance arrangements and stated that he hoped that it would be a productive committee and that Members would feel able to debate matters fully as they came to the committee.

3. PUBLIC INVOLVEMENT

(a) Petitions

3.1 The Chair noted that there were no petitions from members of the public.

(b) Written Questions

- 3.2 The Chair noted that no written questions from members of the public had been submitted for the meeting.

(c) Deputations

- 3.3 The Chair noted that two deputations had been received and invited Ms. Lee from the Saltdean Community Association to come forward and present her deputation to the meeting.

- 3.4 Ms. Lee thanked the chair and stated that she wished to put forward the following deputation on behalf of the community association:

“The SCA are aware of the great amount of work and effort by Members and officers to bring about a satisfactory conclusion to the Lido situation, we are especially grateful for their resolve that any actions taken by the council should not prejudice the position of the community association.

It would appear that mediation between Mr. Audley and the council has been positive and that should the recommendations be resolved, any agreement would be in full and final settlement, including current and counter claims, between the SCA and Saltdean Lido Ltd and Mr. Audley.

From our experience in dealing with Mr. Audley, we particularly request the Council to ensure that the final settlement includes all the companies used by Mr. Audley and also covers the most recent abuse of court proceedings, of issuing statutory demands and threats of personal bankruptcy, by Mr. Audley against individual trustees of SCA.

In our discussions the council gave an undertaking of their intent to indemnify the SCA against claims from Mr. Audley in respect of maintenance charges and we would very much like to ensure that the final settlement covers all the parties involved.

We would like to re-iterate our support as stated at the Culture Recreation and Tourism Committee meeting of the 6th December that we wished to facilitate and support an early and appropriate resolution. We support the recommendations of negotiated surrender of the whole lease.

The SCA has always declared that we will work with any organisation or group to ensure the long-term sustainability of the Lido complex and the continuation of community facilities for the benefit of local residents.

We look forward to working with the council to achieve these aims.”

- 3.5 The Chair thanked Ms. Lee for attending the meeting and putting forward the deputation and in view of the fact that the matter was to be discussed by the Committee in both parts one and two of the meeting proposed that the deputation be noted.

- 3.6 **RESOLVED:** That the deputation be noted and taken into consideration during the debates on items 4 and 5 on the agenda.
- 3.7 The Chair then invited Ms. Crook to come forward and present her deputation to the meeting.
- 3.8 Ms. Crook thanked the Chair and stated that she wished to thank all councillors and officers, particularly the ward councillors and the local MP for supporting the campaign group and the aim to prevent the loss of the facility to the city. She hoped that the Lido's future would be secured and that it would again be open to the benefit of the people living and working in the city. She stated the campaign group had set up a Saltdean Lido Company with the hope that it would be able to work with the council to develop the site and had prepared a business plan which outlined the proposals for the future of the Lido. It was hoped that in taking the development of the site forward, it would benefit the local economy and encourage the use of the site throughout the year.
- 3.9 The Chair thanked Ms. Crook for attending the meeting and putting forward the deputation and in view of the fact that the matter was to be discussed by the Committee in both parts one and two of the meeting proposed that the deputation be noted.
- 3.10 **RESOLVED:** That the deputation be noted and taken into consideration during the debates on items 4 and 5 on the agenda.

4. SALTDEAN LIDO

- 4.1 The Strategic Director; Communities introduced the report and thanked everyone for attending the special meeting. He stated that officers had been working right up to the last minute to finalise the papers for the meeting and had had to deal with some very complex arrangements between the council, the leaseholder and the community association. The existing lease had proved to be very difficult to enforce and had finally led to the decision to go to mediation and the resulting reports coming to the meeting today. He also stated that should the recommendations be agreed, the council would seek to work with all interested groups to ensure the future of the Lido. In the meantime, there would be a need to inspect the building and determine its state of condition and what immediate works, if any, were required to maintain safety. It was hoped that the Lido would be open for the 2013 summer season and officers would look at interim arrangements in the meantime and consult with the Chair of the Economic Development & Culture Committee.
- 4.2 The Chair stated that he wished to thank the officers concerned for their work and also Councillor Bowden who had been leading on the matter and meeting with residents and representatives of the local groups.
- 4.3 Councillor Mitchell welcomed the report and stated that she had a number of questions that would be better taken in part two of the meeting, but asked if a further report would be brought to committee and if a time frame for that could be given.
- 4.4 The Strategic Director; Communities stated that it was hoped to be able to inspect the building on Friday and that a further report could be brought to committee in the autumn,

but in the meantime he wanted to ensure that the momentum in regard to taking matters forward could be kept going.

- 4.5 Councillor G. Theobald stated that he supported the principle of the council taking control of the building and wanted to congratulate everyone involved in enabling the current position to be reached, especially the ward councillors, the local MP and the campaign group. He also had a number of questions that he would raise in part two of the meeting, and expressed his concern over the likelihood that the Lido would not be open for the current year.
- 4.6 Councillor Bowden stated that he wished to apologise for the lateness of the papers, but officers had been working right up to the last minute and he also wanted to express his thanks for their work and support. He welcomed the report and stated that he wanted to reach an outcome that benefited the community and the city. He was now hopeful that matters could be progressed and the future of the Lido taken forward with either the council or another body enabling the Lido to be open for public enjoyment.
- 4.7 Councillor West welcomed the report and stated that he was very pleased to see that a resolution had been found and hoped that it would be supported. He wished to thank everyone involved and paid tribute to Councillor Bowden for his role and work during the protracted negotiations.
- 4.8 Councillor Peltzer Dunn queried whether the report's recommendations should be taken at this point or that the meeting should move into closed session for the part two item, before returning to open session to confirm the outcome of the matter and the recommendations in the part one report.
- 4.9 The Monitoring Officer informed the meeting that the part one report's recommendations could be considered prior to moving into the closed session.
- 4.10 The Chair stated that he felt the report should be dealt with and that the meeting should then move into closed session with the item remaining in part two should the committee agree and as such there would be no need to return to an open session. He therefore put the recommendations to the vote.
- 4.11 **RESOLVED:**
- (1) That it be noted that the terms for the surrender of the Lease of Saltdean Lido ("the surrender") are recommended to be agreed as outlined in the Part 2 report, agenda item No 5;
 - (2) That it be noted as the surrender does not entail the transfer of a going concern, it is inevitable that, if the terms of the surrender are agreed, the pools and gym part of the Lido would not be immediately open at the start of the summer season; and
 - (3) That if the terms of the surrender are agreed, it be agreed that interim management arrangements should be put in place as soon as possible by officers in consultation with the Chair of the Economic Development & Culture Committee.

PART TWO SUMMARY

5. SALTDEAN LIDO - EXEMPT CATEGORIES 3 AND 5

5.1 **RESOLVED:** That the recommendation as detailed in the report be agreed.

6. PART TWO PROCEEDINGS

6.1 The Committee considered whether the item listed on part two of the agenda and the decisions thereon should remain exempt from disclosure to the press and public.

6.2 **RESOLVED:** That the item and the decisions thereon remain exempt from disclosure to the press and public.

The meeting concluded at 4.10pm

Signed

Chair

Dated this

day of 2012