

CABINET MEMBER FOR PLANNING, REGENERATION & ECONOMIC DEVELOPMENT

RECORD OF DECISIONS taken by the Cabinet Member for Planning, Regeneration & Economic Development, Councillor Luke Stubbs, at his meeting held on Friday, 13 June 2014 at 4.00 pm at the Conference Room B - Civic Offices

Present

Councillor Luke Stubbs (in the chair)

Councillor Ben Dowling

Councillor Aiden Gray

Officers Present

Michael Lawther, City Solicitor

Alan Cufley, Head of Corporate Assets, Business & Standards

Nick Haverly, Finance Manager - Housing Regeneration & Community Safety

Anne Cains, Senior Valuation Surveyor

12. Apologies for Absence (AI 1)

The Cabinet Member for PRED welcomed everyone to the meeting.

(Councillors Hugh Mason, Sandra Stockdale and Rob Wood attended the meeting as observers.)

Apologies for absence were received from Cllr Colin Galloway, UK Independence Party.

13. Declarations of Members Interests (AI 2)

Councillor Aiden Gray said that he was the chair of the Planning Committee but would approach the meeting with an open mind.

14. Forward Plan Omission and Special Urgency Provisions (AI 3)

Mr Alan Cufley explained that the decision relating to The Camber, East Street and Broad Street, Old Portsmouth is a key decision for the purposes of the Forward Plan but was not included in the Forward Plan for the period from

13 May 2014 until 31 July 2014 (published on 13 May 2014) and is therefore an omission from the Forward Plan and also an omission of explanation of exempt information contained in the exempt appendix. The Chair of the City Council's Scrutiny Management Panel had been notified of and agreed to the decision being made, in accordance with the City Council's Constitution (General Exceptions, Section 15) and (Special Urgency, Section 16). Mr Cufley said that the Camber - East Street and Broad Street, Old Portsmouth report outlines the need for urgent action to be taken in order to take advantage of an opportunity for the city council as freeholder to negotiate the surrender of the existing leasehold interests on the Camber Quay site as set out in the report.

15. Exclusion of Press and Public (AI 5)

Members were reminded that the appendix to the report was exempt under the provisions of Section 100A of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985, and that if they wished to discuss the exempt appendix, they would need to pass a resolution that the press and public be excluded for the consideration of it on the grounds that the appendix to the report contains information defined as exempt in Part 1 of Schedule 12A to the Local Government Act, 1972 under exemption paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information”.

16. The Camber - East Street and Broad Street, Old Portsmouth report (AI 4)

(TAKE IN REPORT)

The City Solicitor advised that the usual rules about deputations would not apply to this meeting given that the usual notice period had not been given. A written submission was circulated from Mr Parnell and Mr Andrew Rothwell expressing concerns about the proposals.

A deputation was made by Mr Jim Page in support of the recommendations in the report.

The Head of Corporate Assets, Business & Standards, Alan Cufley introduced the report which is to advise the Cabinet Member of an opportunity that has arisen for the city council as freeholder to negotiate the surrender of the existing leasehold interests on the Camber Quay site to potentially enable the authority in future to enter into a new lease with Ben Ainslie Racing Limited (BAR) to develop the site and to request authority to enter into the necessary legal and financial agreements with the existing leaseholder. As a necessary consequence of entering into those agreements and to making these sites available within the necessary timescales, to also incur expenditure at the council's risk but on the premise of such expenditure being reimbursed.

The City Solicitor advised that although he would have liked to give more notice, this has not been possible as the timetable was outside the control of the city council.

The City Solicitor said that in terms of risk, if the Planning Committee did not grant permission to Ben Ainslie Racing Limited to develop the site, the recommendations if approved today would result in a vacant freehold site becoming available so could be viewed as a commercial risk worth taking.

The Head of Corporate Assets, Business & Standards said that with regard to the two primary parties Mr Parnell and Mr Andrew Rothwell, discussions have taken place and the city council would do what it could to assist all the tenants into alternative premises.

The Cabinet Member said that he was disappointed that this meeting had had to be held in this very tight timescale but decided to accept the recommendations before him.

DECISION:

The Cabinet Member for Planning, Regeneration & Economic Development agrees

- (1) surrenders of the existing leasehold interests on the Camber Quay site, consequential grants of new leases, and financial settlements as set out in exempt Appendix 1 are authorised;**
- (2) the City Solicitor and Head of Corporate Assets, Business & Standards be authorised to complete all legal documentation in order to give effect to the above recommendation.**

The meeting concluded at 5.10pm.

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Councillor Luke Stubbs
Cabinet Member for Planning, Regeneration & Economic
Development