

# BIRMINGHAM CITY COUNCIL

**CABINET COMMITTEE –  
PROPERTY RECONVENED  
MEETING WEDNESDAY, 28  
MARCH 2024**

**MINUTES OF A MEETING OF THE CABINET COMMITTEE - PROPERTY  
HELD ON WEDNESDAY 28 MARCH 2024 AT 1400 HOURS IN  
COMMITTEE ROOMS 3 & 4, COUNCIL HOUSE, VICTORIA SQUARE,  
BIRMINGHAM, B1 1BB.**

**PRESENT:** - Councillor John Cotton, Leader in the Chair

Councillor Karen McCarthy, Cabinet Member  
Councillor Majid Mahmood, Cabinet Member

**ALSO PRESENT:-**

Councillor Robert Alden, Leader of the Opposition (Conservative)  
Councillor Deborah Harries, (Liberal Democrat)  
Deborah Carter-Hughes, Assistant Director, Corporate Law  
Kathryn James, Assistant Director of Investment and Valuation  
Rob King, Property Sales Manager  
Philip Nell, Director for Property and Investment  
Sushil Thobhani, Head of Law, Property, Planning & Regeneration  
Louisa Nisbett, Committee Officer  
Doug Lee, Development Planning Manager  
Fiona Greenway, Finance

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**NOTICE OF RECORDING**

28 The Chair advised the meeting to note that members of the press/public may record and take photographs except where there were confidential or exempt items.

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**APOLOGIES**

29 An apology for absence was submitted on behalf of the Deputy Leader, Councillor Jane Francis and Sharon Thompson for their inability to attend the meeting.

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**DECLARATIONS OF INTERESTS**

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The Chair reminded Members that they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at the meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Councillor Majid Mahmood declared that he had been contacted by a member of the public who had made enquiries about extending the leasehold on one of the properties in Agenda Item 6.

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**MINUTES**

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**RESOLVED: -**

The Minutes of the meeting held on 13 March, 2024, having been previously circulated, were confirmed and signed by the Chair.

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**EXEMPT INFORMATION – POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC**

The Chair advised that there were a number of the reports containing an exempt appendix within the meaning of Section 100I of the Local Government Act 1972.

Members of the Committee indicated that they had questions to raise in relation to these items which needed to be raised in the private session.

At 1404 hours it was moved and seconded that the Committee move into a private session and make the decisions in public when the meeting returned to the public session.

32

**RESOLVED:–**

That, in accordance with Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of those parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the

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proceedings, that if members of the press and public were present there would be disclosure to them of exempt information.

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### **PROPOSED SALE OF SURPLUS FREEHOLD PROPERTY ASSETS BY PUBLIC AUCTION**

The Committee considered a report concerning the sale of surplus freehold property assets by public auction. It was noted that Phillip Nell had undertook to have a discussion with tenants prior to the auction.

### **EXCLUSION OF THE PUBLIC**

It was-

#### 33 **RESOLVED:-**

That members of the press and public be excluded from the meeting for the exempt items of business under the next agenda item under Section 100A(4) of the Local Government Act 1972 on the grounds that: (i) it involved the likely disclosure of exempt information as defined under paragraphs 3, 4 and 5 of Part 1 of Schedule 12A of the Act; and (ii) the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

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There were a range of matters that were considered during the exempt part of the meeting, and these are set out in full under the private Minutes.

#### 34 **RESOLVED UNANIMOUSLY: -**

That Cabinet Committee Property:-

1. Authorises the Director of Property & Investment to conclude the sale of the Council's freehold property interests at a minimum of the reserve values listed in Exempt Appendix 2 by public auction through its appointed auctioneers during the remainder of 2024;
  2. Authorises the Director of Property & Investment, where deemed appropriate, to set individual reserve prices in excess of £200,000; and
  3. Authorises the City Solicitor to prepare, negotiate, execute, and complete all relevant legal documentation to give effect to the above.
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### **DISPOSAL OF 8 NO. SITES FOR AFFORDABLE HOUSING**

The Committee considered a report concerning disposal of 8 no. sites for affordable housing. It was noted that community engagement at an early stage should take place.

**EXCLUSION OF THE PUBLIC**

It was-

35 **RESOLVED:-**

That members of the press and public be excluded from the meeting for the exempt items of business under the next agenda item under Section 100A(4) of the Local Government Act 1972 on the grounds that: (i) it involved the likely disclosure of exempt information as defined under paragraphs 3, 4 and 5 of Part 1 of Schedule 12A of the Act; and (ii) the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

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There were a range of matters that were considered during the exempt part of the meeting, and these are set out in full under the private Minutes.

36 **RESOLVED UNANIMOUSLY: -**

That Cabinet Committee Property:-

1. Agree to the freehold disposal of the sites listed in Appendix 1 to a developer as detailed in Exempt Appendix 2;
2. Approve the principle that the General Fund sites will be sold unconditionally after a period of due diligence from the developer, and the Housing Revenue Account sites will be sold conditional on planning;
3. Note the land assets have been identified for sale from both the Council's General Fund and Housing Revenue Account (HRA) to provide affordable housing across the city, with the Council retaining Nomination Rights for those on its housing register. General Fund receipts will be paid into the General Fund (minus disposal costs) and HRA receipts will be paid into the HRA..
4. Delegate authority to the Strategic Director for Place, Prosperity, and Sustainability (or their delegate), the Interim Director of Finance (s151 Officer), (or their delegate), and the Interim City Solicitor & Monitoring Officer (or their delegate) to approve any non-material variance to the terms in this approval and to agree the final terms of the Sale Agreement;
5. Note that the purchaser will engage with the local community and Ward members via the planning approval process; and
6. Authorise the Interim City Solicitor and Monitoring Officer to prepare, execute, and complete all relevant legal documentation to give effect to the above.

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**DISPOSAL OF COUNCIL OWNED LAND AT BORDESLEY PARK**

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### BIRMINGHAM

The Committee considered a report concerning the disposal of Council owned land at Bordesley Park, Birmingham. The importance of jobs, skills and regeneration was stressed moving forward.

### EXCLUSION OF THE PUBLIC

It was-

37 **RESOLVED:-**

That members of the press and public be excluded from the meeting for the exempt items of business under the next agenda item under Section 100A(4) of the Local Government Act 1972 on the grounds that: (i) it involved the likely disclosure of exempt information as defined under paragraphs 3, 4 and 5 of Part 1 of Schedule 12A of the Act; and (ii) the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

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There were a range of matters that were considered during the exempt part of the meeting, and these are set out in full under the private Minutes.

38 **RESOLVED UNANIMOUSLY: -**

That Cabinet Committee Property:-

1. Approves the disposal on a freehold basis of Council owned land at Bordesley Park, together with additional Council owned land interests as detailed in Exempt Appendix 2;
2. Delegates approval of the final sale terms agreed under 2.1 above to the Assistant Director of Investment and Valuation;
3. Authorises the City Solicitor (or their delegate) to negotiate, execute and complete all relevant documentation to give effect to the above recommendation;
4. Notes that the purchaser will reimburse the City Council's reasonable and proper surveyor and legal costs on completion; and
5. Notes that upon disposal, the City Council will continue to consult with the Department for Levelling Up, Housing and Communities (DLUHC) on options to apply the Levelling Up Fund (LUF) grant awarded for Bordesley Park for future remediation, reclamation, and acquisition within the area and consistent with the purposes of the grant application.

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### OTHER URGENT BUSINESS

39 There was no other urgent business.

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The meeting ended at 1511 hours.

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CHAIRPERSON