

Disposal of Surplus Properties – Brindley Drive Car Park

Executive Response to ‘Call-In’ the decision made by Cabinet on 22 May 2019

Cabinet Meeting - 25 June 2019

Background

A report to Cabinet on 22 May 2019 sought Cabinet approval to declare a number of sites surplus to the Council’s requirements, including the multi storey car park at Brindley Drive.

A request for Call-In was made to the Resources Overview and Scrutiny (O&S) Committee by Councillors Debbie Clancy and Ewan Mackey on 22nd May 2019.

The Resources O&S Committee considered the request for call-in at its meeting on 12 June 2019. At the meeting the Committee heard from Councillor Ian Ward (Leader), supported by Kathryn James (Assistant Director, Property) and Rob King (Property Sales Manager).

The Committee resolved to call-in the decision for reconsideration by Cabinet only in respect of the decision to sell Brindley Drive car park by a unanimous vote of the members present.

Reason for Call-In

The reason for Call-in was:

- The Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision.
- The Executive appears to have overlooked some relevant consideration in arriving at its decision
- The decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the O&S Committee; it is likely so to do.
- There is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the O&S Committee to hold the Executive to account and/or add value to the work of the Council.

The Committee Resolution

The Committee resolved to call-in the decision for reconsideration by Cabinet, by a unanimous vote, on the grounds that:

- the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision – the Rep, CBSO, Town Hall/

Symphony Hall and the library were contacted by the Councillors prior to the Call-in meeting and were told none had been consulted.

- the Executive appears to have overlooked some relevant consideration in arriving at its decision – the report states that an equality impact assessment was “not applicable” and that no groups will be adversely affected.
- the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the O&S Committee, it is likely so to do. Venues were not consulted, therefore their customers were not aware.
- there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the O&S Committee to hold the Executive to account and/or add value to the work of the Council – this refers to the incomplete consultation, and that legal requirements have not been fulfilled with regards to the Equalities Act.
- **Comments in Response**
 - There was no requirement for consultation with the bodies mentioned above. There are other users of the car park who would have not been captured by such a consultation. As part of the usual process the potential disposal of the car park was discussed at the Council’s Property and Assets Board and there were no objections to the closure by the user Directorates. In addition, as is normal practice, the local ward members were consulted on the decision to declare the car park surplus.
 - It is unlikely the organisations referenced would be able to provide data on how many of their patrons make use of the Brindley Drive car park.
 - The car park is under-used particularly during the daytime. There is a surplus of parking spaces in that area of the city. It is a long term aim of the City Council to reduce car usage, which a study said would not be achieved if there is an over-supply of spaces (there is an excess of 8,000 spaces in the city centre, and an over-supply of 2,100 spaces in the Broad Street entertainment area. This car park has 610 spaces). The long term aim is to encourage more sustainable modes of travel.
 - The Cabinet report also states that a study undertaken by Atkins recommended this car park would require major investment; and the Council is not in a position to prioritise major capital spend here so this would have the effect of the car park being used less and less. Also, retention would expose the Council to increasing risk and liabilities.

- With regard to the Equalities Assessment, an initial screening was carried for the package of sites. However until we have a clear proposal from a development partner as to what their plans for the car park are in terms of its potential redevelopment, it is not possible to undertake a Full Equalities Assessment. This will be undertaken at the next stage of the Executive decision making process when the preferred bidders proposals are reported
- We can however confirm the Council can demonstrate how any potential impacts can be mitigated. A new car park at Paradise will be open to the public 24/7 and is due to open at the end of December 2019 (well in advance of the closure of Brindley Drive). There will be approximately 310 spaces as part of Phase 1 of which 31 will be dedicated disabled bays. The car park will be of a high quality specification and provide a safer car parking environment for customers, than Brindley Drive. Vehicular access to the car park will be via Summer Row (Great Charles Street). The tram coming to Centenary Square is a further mitigation, which will be in place prior to closure of the car park. Prior to closure of the car park a notice will be placed on the car park advising users of alternative car parking which is nearby and in particular access to disabled car parking. It should be noted Brindley Drive has 8 dedicated disabled spaces, and is not accessible beyond the ground floor for disabled users, or the elderly as there is no lift available.
- In support of Council policy we are taking active steps to discourage people from driving into the city centre with the aim of improving air quality and focusing on the health of our citizens.
- Members asked about the consultation, and whether the loss of the car park will impact on the viability of the organisations, their business plans and therefore the business rates the council receives. Initial estimates indicate the scale of the development opportunity at Brindley Drive has the potential to generate an annual Council Tax revenue stream of £800,000, which is anticipated to be realised in financial year 2021–22.