

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to:	CABINET
Report of:	CORPORATE DIRECTOR, ECONOMY
Date of Decision:	18th September 2018
SUBJECT:	GRAND CENTRAL SHOPPING CENTRE AND ASSOCIATED CAR PARK
Key Decision: Yes	Relevant Forward Plan Ref: 004810/2018
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/>
Relevant Cabinet Member:	O&S Chair approved <input type="checkbox"/>
Relevant O&S Chair:	Councillor Ian Ward - Leader of the Council
	Councillor Tahir Ali – Economy and Skills O&S Committee
Ward affected:	Ladywood

1. Purpose of report:

- 1.1 The purpose of this report is to provide an update on matters of legacy relating to the disposal of Grand Central Shopping Centre and its associated car park.
- 1.2 An accompanying Private report contains confidential financial information.

2. Decision(s) recommended:

That Cabinet:

- 2.1 notes this report.

Lead Contact Officer(s): Kathryn James
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3. Consultation

3.1 Internal

- 3.1.1 Relevant ward members and Executive Members have been consulted and are supportive of the project and the proposal contained within this report has gained relevant support.
- 3.1.2 Officers from City Finance and Legal Services have been involved in the preparation of this report.

3.2 External

- 3.2.1 Council officers and their appointed advisors have been engaging with all relevant parties and their appointed advisors in respect of this matter and have established all matters for consideration post mediation with a view to all parties establishing their respective positions.

4. Compliance Issues:

Are the recommended decisions consistent with the Council's policies, plans and strategies?

- 4.1 The decisions recommended in the private report are a legacy of the New Street Gateway/Southside project resulting in the development and disposal of the Grand Central Shopping Centre and associated car park in accordance with and as authorised by Cabinet on 20 October 2015

4.2 Financial Implications (How will decisions be carried out within existing finances and Resources?)

The financial implications are considered commercially sensitive and as such are contained within the private report relating to this matter.

4.3 Legal Implications

The Council's powers to enter into this report are contained in S1 Localism Act 2011 which contains the Council's competency power and S111 Local Government Act 1972 which authorises the Council's ancillary monetary powers in relation to and incidental to the discharge of its functions

4.4 Public Sector Equality Duty

An initial Equality Assessment (number EQA104) attached at Appendix 1, has been undertaken and there is not a requirement for a full Equality Assessment at this stage, based on the recommendations in this report. This is because none of the recommendations have an adverse impact on the protected groups under the Equality Act 2010. This position is to be reviewed in March 2019.

5. Relevant background/chronology of key events:

As part of the redevelopment of New Street Station, the redeveloped and rebranded shopping centre, now known as Grand Central Shopping Centre, was sold by the Council in February 2016, subject to a special purchase agreement. Due to the commercially sensitive nature of the matter all relevant background has been outlined within the private report relating to this matter.

6. Evaluation of alternative option(s)

The evaluation of the alternative options is considered commercially sensitive and as such contained within the private report relating to this matter.

7. Reason(s) for decision

The reason for the decision is considered commercially sensitive and as such contained within the private report relating to this matter.

Signatures

Date

Councillor Ian Ward
Leader

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Waheed Nazir
Corporate Director, Economy

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List of Background Documents used to compile this Report:

Relevant Officer's file(s) on the matter, save for confidential documents
Cabinet report dated 20 October 2015 (public)

List of Appendices accompanying this Report (if any):

Appendix 1 – Equality Assessment EQA104

PROTOCOL

PUBLIC SECTOR EQUALITY DUTY

- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.
- 2 If there is no adverse impact then that fact should be stated within the Report section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in section 4.4 of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
- 3 A full assessment should be prepared where necessary and consultation should then take place.
- 4 Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
- 5 Responses to the consultation should be analysed in order to identify:
 - (a) whether there is adverse impact upon persons within the protected categories
 - (b) what is the nature of this adverse impact
 - (c) whether the adverse impact can be avoided and at what cost – and if not –
 - (d) what mitigating actions can be taken and at what cost
- 6 The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
- 7 Where there is adverse impact the final Report should contain:
 - a summary of the adverse impact and any possible mitigating actions (in section 4.4 or an appendix if necessary)
 - the full equality impact assessment (as an appendix)
 - the equality duty (as an appendix).

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

- 1 The Council must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 2 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 4 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - (a) tackle prejudice, and
 - (b) promote understanding.
- 5 The relevant protected characteristics are:
 - (a) marriage & civil partnership
 - (b) age
 - (c) disability
 - (d) gender reassignment
 - (e) pregnancy and maternity
 - (f) race
 - (g) religion or belief
 - (h) sex
 - (i) sexual orientation