

# BIRMINGHAM CITY COUNCIL

**CABINET COMMITTEE –  
PROPERTY MEETING  
THURSDAY, 12 SEPTEMBER  
2024**

**MINUTES OF A MEETING OF THE CABINET COMMITTEE - PROPERTY  
HELD ON THURSDAY 12 SEPTEMBER 2024 AT 1100 HOURS IN  
COMMITTEE ROOM 6, COUNCIL HOUSE, VICTORIA SQUARE,  
BIRMINGHAM, B1 1BB.**

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

Councillor Jayne Francis, Cabinet Member for Housing and Homelessness  
Councillor Karen McCarthy, Cabinet Member for Finance  
Councillor Sharon Thompson, Deputy Leader and Cabinet Member for  
Economy and Skills

**ALSO PRESENT:-**

Councillor Robert Alden, Leader of the Opposition (Conservative)  
Andrew Bradley, Property Development Surveyor  
Ian Chaplin, Head of Service, Investment and Valuation  
Andrew Cox, Principal Surveyor, Investment and Valuation  
Kathryn James, Assistant Director, Investment and Valuation  
Philip Nell, Director for Property and Investment  
Mohammed Sajid, Assistant Director Financial Strategy  
Sushil Thobhani, Head of Law, Property, Planning & Regeneration  
Errol Wilson, Committee Team Leader

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**NOTICE OF RECORDING/WEBCAST**

55. The Chair welcomed attendees and advised, and the Committee noted, that this meeting will be webcast for live or subsequent broadcast via the Council's Public-I microsite ([please click this link](#)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

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**APOLOGIES**

## Cabinet Committee Property – 12 September 2024

56. Apologies for non-attendance was submitted on behalf of Councillors Jayne Francis and Deborah Harries. An apology for lateness was submitted on behalf of Councillor Sharon Thompson, Deputy Leader and Cabinet Member for Economy and Skills.
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### DECLARATIONS OF INTERESTS

57. 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.

Any declarations will be recorded in the minutes of the meeting.

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### MINUTES

The Leader referred to Minute No. 33 from July's meeting and Minute No. 51 from August meeting in relation to the Table of Revenue impact and enquired when this would be coming to the Committee. The Director for Property and Investment responded that a verbal update would be presented at this meeting.

Councillor Robert Alden referred to the Private Minutes on page 25 and advised that '*... like a lesson learnt ...*' should be '*... needs a lessons learnt ...*'

58. **RESOLVED:** -

The Public and Private Minutes of the meetings held on the 25 July 2024 and the 8 August 2024, having been previously circulated, subject to the correction were confirmed and signed by the Chair.

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

The Chair advised that the reports at Agenda items 6 to 8 contained exempt appendices within the meaning of Section 100I of the Local Government Act 1972.

## **Cabinet Committee Property – 12 September 2024**

The Chair then enquired whether there were any matters that Members would like to raise on the exempt appendices that may affect the decision to be made or to ask for clarification on a point on the exempt appendices.

Members of the Committee indicated that they have questions to raise in relation to items 5 to 7 which presumably needed to be raised in the private session, however, they would be guided by the Chair.

The legal officer present at the meeting proposed that the Committee move into private session for discussions around items 6 to 8.

The Chair agreed with the proposal to move into a private session and make the decision in public when the meeting returned to the public session.

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

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## **SALE OF LAND AT THE PEDDIMORE ESTATE, MINWORTH, BIRMINGHAM**

The Committee considered a report concerning the *Sale of Land at the Peddimore Estate, Minworth, Birmingham*.

### **EXCLUSION OF THE PUBLIC**

It was-

### **60. 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.

### **61. RESOLVED UNANIMOUSLY: -**

That Cabinet Committee Property:-

## **Cabinet Committee Property – 12 September 2024**

- a. Authorised the Assistant Director of Investment & Valuation to conclude an unconditional sale of the Council owned freehold land at the Peddimore Estate Minworth, Birmingham, (“the Property”) as shown edged bold on attached plan at Appendix 1 to the report, and extending to 46.1 hectares (114 acres), to the Purchaser as detailed in exempt Appendices 2 and 3 to the report;
- b. Noted that the purchaser will also pay a contribution towards the Council’s surveyor and legal costs, as detailed in Exempt Appendix 2 to the report;
- c. Authorised the Assistant Director of Investment & Valuation to revert to the under bidders in the event of a failure to complete the transaction within the prescribed timeline;
- d. Authorised the City Solicitor to prepare, negotiate, execute and complete all relevant legal documentation to give effect to the above; and
- e. Noted the feedback from Economy, Skills and Culture Overview and Scrutiny Committee and the response set out in paragraph 7.2 and Exempt Appendix 6 to the report.

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### **LEASE SURRENDER AND GRANT OF THREE NEW LEASES ‘SBQ’ THE RINGWAY CENTRE, 1-4 SMALLBROOK, QUEENSWAY**

The Committee considered a report concerning the *Lease Surrender and Grant of Three New Leases ‘SBQ’ the Ringway Centre, 1-4 Smallbrook, Queensway*.

#### **EXCLUSION OF THE PUBLIC**

It was-

#### **62. 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.

#### **63. RESOLVED UNANIMOUSLY: -**

That Cabinet Committee - Property:-

- 1) Authorised the Assistant Director of Investment and Valuation to; accept the surrender of the two current leases from the developer as the current

## **Cabinet Committee Property – 12 September 2024**

tenant of the Council owned land at 1,2,3 and 4 Smallbrook Queensway and 19-97 Smallbrook Queensway, formally known as The Ringway Centre as shown edged bold black on the attached Site Plan at Appendix 1 to the report;

- 2) Authorised the Assistant Director of Investment and Valuation to conclude the conditional lease of the Council's interests in providing three new leases in a combination of premiums and new receivable rents;
- 3) Noted that the purchaser will pay a contribution towards the Council's surveyor and legal costs, as detailed in Exempt Appendix 2 to the report; and
- 4) Authorised the City Solicitor to prepare, negotiate, execute, and complete all relevant legal documentation to give effect to the above.

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## **SALE OF VARIOUS FREEHOLD INTERESTS – BIRMINGHAM CITY UNIVERSITY, NECHELLS**

The Committee considered a report concerning the *Sale of Various Freehold Interests – Birmingham City University, Nechells*.

### **EXCLUSION OF THE PUBLIC**

It was-

#### **64. 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.

#### **65. RESOLVED UNANIMOUSLY: -**

That Cabinet Committee - Property:-

1. Authorised the Assistant Director of Investment & Valuation to conclude an unconditional sale of the Council's various freehold interests, to the current tenant, and on the recommended terms as set out in Exempt Appendix 5 to the report;
2. Noted the purchasing tenant will meet payment of the Council's legal and surveyor's costs, as detailed in Exempt Appendix 5 to the report; and

3. Authorised the City Solicitor to prepare, negotiate, execute and complete all relevant legal documentation to give effect to the above.
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**OTHER URGENT BUSINESS**

**66. Summary Report**

The Director for Property and Investment stated that the Committee have requested from the last two meetings for an update on the sales that were going through from the property asset disposal programme and also the impact on income. As a result of those sales he reported that as of today we have completed on just over £116m worth of sale as part of our £500m current year and £250m next year capital receipt target. He highlighted that the £116m worth of assets total 75 properties and the income lost from that sales were just over £1.23m which in commercial context was relatively low income return because a lot of those assets were sites that were not income generative. It was also worth noting that those sites included some of our own operational assets that we would have been holding as a revenue cost. The £1.23m loss of income was a gross income.

Councillor Robert Alden stated that presumably when we worked out that net figure we were taking into account that service department was having to hire a non-Council building to then deliver that service. We were taking those sites off the account not just on one site. The Director for Property and Investment responded affirmatively and added that we have included the revenue savings in the number and that was correct.

The Chair commented that this was useful progress, and we were looking forward to receiving regular updates at future meetings of this Committee.

The Deputy Leader stated that this was something that came to her regular Cabinet Member briefing and she got to interrogate the numbers and asked questions. She added that she would ensure that the information is presented to future Committee meetings for transparency.

**67. Kathryn James**

The Committee noted that this was Kathryn's last day of work with the City Council. The Committee expressed thanks to Kathryn for all of her hard work and services and wished her all the best for the future.

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The meeting ended at 1123 hours.

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CHAIRPERSON

