

# **ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW & SCRUTINY) COMMITTEE**

**1 APRIL 2019**

## **PRESENT:**

Councillors Cox (Chairman), Ball (Vice-Chair), Warfield (Vice-Chair), Mrs Baker, Mrs Boyle, Mrs Eagland, Mrs Lax, Marshall and Smith.

(In accordance with Council Procedure Rule No.17 Councillors attended the meeting).

## **58 APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Drinkwater, Mrs Fisher and Mrs Stanhope

## **59 DECLARATIONS OF INTEREST**

There were no declarations of interests

## **60 CALL-IN OF CABINET DECISION - MULTI STOREY CAR PARK, REFURBISHMENT PROJECT**

The Committee considered the Call In from the Leader of the Opposition, Councillor Mrs Sue Woodward of the Cabinet decision – Multi Storey Car Park, Refurbishment Project.

The Committee received further information from the Cabinet Member in response to the reasons for the Call-In. The Committee adjourned to consider this information.

The Chairman then re-opened the meeting and asked Councillor Mrs Woodward if she wished to add anything to the reasons for the Call-In and she reported that there had been a disregard for costs and funds in the sinking fund for the reprovision of a car park and the money to do this would be considerably less if this refurbishment proceeded. She reported that she had concern that the refurbishment followed the end of the Friarsgate project however that was some time ago and wished to understand what the delay had been and why it was after the Medium term Financial Strategy (MTFS) had been approved. She requested further information to the break even period and the consequences if the car park was taken out of commission before this point. She then asked for clarity on what the standards were for lighting and where the line was between safety and cosmetic measures for the works. Councillor Mrs Woodard also requested clarification as to why the total for the works was £123k but was rounded up to £150k for the budget submission.

The Cabinet Member for Economic Growth, Environment & Development Services, Councillor Pritchard gave his presentation of the report as he did at the Cabinet meeting. He reported that there were no direct cost to the council. He reported that the money did not belong to the council but to Railpen who own the site. He then reported that the council was under agreement to provide spaces for the Three Spires shopping centre and if the car park was repaired as agreed, the rest of the sinking fund could be utilised for car parking for the Birmingham Road Site (BRS) however if not, it would be unlikely that Railpen would allow access to the fund.

The Committee discussed why the Cabinet report did not appear before them for pre-decision scrutiny and it was noted that the item was on the Forward Plan which was sent to all Members and could have been requested to be considered by O&S if wished.

There were some initial concerns by some Committee Members that the time taken by the Cabinet to debate this item at their meeting was short and this could be misinterpreted by the public as not effective. Reference was made to the Electoral Reform Society publication on the cost of one party councils.

The Chairman reminded all in attendance that O&S was non political and it was the role of the Committee to investigate each reason for the Call In.

At this point each reason for the Call In as submitted by Councillor Mrs Woodward was be considered in turn.

*Reference was made at Cabinet to it (a) being a consequence of the failure of the former Friarsgate project and (b) the length of time it had taken to bring the proposals forward. These need to be examined in a public forum and shared with Members, especially why this was not followed through at the time (ie early summer 2018)*

It was asked and confirmed that Railpen was the other party in the sinking fund and there was an agreement with them to provide 330 carparking spaces and so they had to be consulted with to undertake the refurbishment.

It was also asked whether the planning application for the intermediary works for the BRS and specifically for car parking at the Police Station site could provide what had been agreed with Railpen however it was reported that car parking at the Police Station was to replace loss of spaces at the Bus Station.

It was asked and confirmed that the works were required by the end of the year and so could not wait.

*References were made at Cabinet to the proposals being “at no cost” and “doing this for nothing”. This is patently not the case and needs further examination.*

Members asked how any unused funds would return to Railpen but could also be used for BRS and it was reported that it could be used for another carpark with agreement from Railpen.

It was then asked if there were opportunity costs and Councillor Mrs Woodward referred to an email from the head of Finance and Procurement stating that there could be. The Cabinet Member for Finance and Democratic Services, Councillor Spruce reported that although there would be a spend of £300k in total, it would not be out of the MTFS but from an earmarked sinking fund that could not be used for anything else. It was reiterated that the carparking spaces were required to be maintained under the agreement with Railpen.

*In the Cabinet report, the breakeven period for the proposed lighting works is stated to be “five years after a change over”, yet the discussion at Cabinet revealed that the longevity of the car park is unknown and may be as little as two years. This would far outweigh the income from parking and would not provide value for public money and there should be a full assessment of the financial risks is needed.*

When asked, it was confirmed that no public money would be spent as it was from a sinking fund and although hoped, it was unlikely that the BRS development would be completed in two years. It was confirmed that the lighting could be removed and used elsewhere minimising the risk of them being wasted.

The safety aspect of the lighting was discussed and some Members felt this was of greater importance than the cost and risk of not reaching the break even point. When asked

Councillor Pritchard reported that he would prefer to go beyond a statutory requirement for lighting to ensure users felt safe.

*The safety concerns raised in the report (ie “replacing the failing upper deck covering, repairs to various areas of damaged concrete, anti-corrosion treatment to structural steelwork, replacement of the damaged Birmingham Road height limiters, replacement of fire doors and frames” etc) could and perhaps should have been addressed before now. The call in will allow Councillors to understand the reasons for the delay and the relative urgency of each of these measures.*

It was reported that although the structure was inspected every 6 months, this was not sustainable and it could have dire consequence if the council knew works were required but did not carry them out. All parties at the meeting agreed with this.

It was asked what works were vital and what were cosmetic and it was reported that it was not know of any aspect that was purely aesthetic. It was noted that lighting could be replaced like for like however LED lights would enhance the area giving a greater feeling of safety.

It was asked what how remedial works had been paid for up to now and it was reported that the sinking fund could be used for major structural works but general everyday carparking maintenance was paid for though the MTFs as with all other carparks.

*One Cabinet Member asserted that the current lighting does not meet “the required standards” but that LED lighting “will help” (only). The required standards, as referred to, need to be presented to members along with the reasons why they have not been met up to now and how far the current proposals will enable the Council to meet its obligations.*

It was noted and agreed that the language used at the Cabinet meeting had been confusing. Cabinet Members noted this point.

*The proposed cosmetic measures, including the lighting, should be judged against the safety concerns and a full business plan for all of the proposals presented for scrutiny.*

It was asked why there had been a £27k round up for the budget of the lighting and there was concern that similar could have occurred regarding other matters. It was reported that although rounded up as a budget it did not have to be used and it was right to have a cushion to deal with any issues.

Once all the reasons for the Call In had been debated, the Cabinet Members were thanked for their attendance and responses given. The Committee requested that they reflected on the process taken at their meetings when making decisions and that they have duty to be seen to deal with matters in detail.

**RESOLVED:** a) That the information provided be noted; and  
b) That the Committee accept the decisions made by Cabinet on the Multi Storey Refurbishment Project, which will come into effect on the date of this meeting.

(The Meeting closed at 8.05 pm)

CHAIRMAN