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| MEETING   | BARBICAN AD HOC SCRUTINY COMMITTEE  |
| DATE      | 28 MAY 2008   |
| PRESENT   | COUNCILLORS LOOKER (CHAIR), KING, MORLEY, WATT AND TAYLOR (CO-OPTED NON-STATUTORY MEMBER) |
| APOLOGIES | COUNCILLOR FIRTH  |

## 1. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

Councillor Taylor declared a personal non-prejudicial interest in agenda item 4 (Interim Report) as he had attended Directorate of Environment & Development Services (DEDS) management team meetings at which the Barbican had been discussed, although not taken any part in decision making, and as the web designer for Save Our Barbican (SOB).

## 2. MINUTES

**RESOLVED:** That the minutes of the Barbican Ad Hoc Scrutiny Committee meeting held on 21 November 2007 be approved and signed by the Chair as a correct record.

## 3. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

## 4. INTERIM REPORT

Members received an interim report on the Barbican Ad-hoc Scrutiny Review.

It was noted that there was a typographical error in the first objective of the review, at paragraphs 3 & 6 of the report, which should read:  
“To understand why the contract in relation to the sale of the Barbican site was not signed, sealed and delivered until *after* May 2003.”

Members discussed the problems that had led to the initial delays with sale of site. They expressed the view that it was realistic to take two years to formulate a proposal and that it was not unreasonable for a new administration to exercise its democratic right and change the proposal, although the risk assessment of reopening the process may not have been

adequate. They also concluded that there was no evidence to suggest that use of an external project manager would have been beneficial.

Members then agreed to amend the following parts of the report:

- To reword paragraph 21 to read, “A consultation leaflet was issued in March 2003 and the results were not fully available until after the election, which, in turn, delayed the signing of any contractual agreement”;
- To reword paragraph 22 to read, “The consultation document pointed out that there would be no fitness or creche facilities with the county standard pool. There was a mixed response to the consultation leaflet issued in March 2003. Although the results broadly supported the refurbishment and renewal of the Barbican, there was some criticism of the lack of community and play facilities and the level of fitness equipment. The new administration wanted to revisit the capital receipt to allow it to fund the refurbishment of the other two pools”;
- To reword paragraph 15 to read, “The incoming administration in 2003 decided to renegotiate the agreement and re-run the consultation process, so there was a different package which would address the capital receipt issue, and this further delayed the final decision being taken”;
- To delete paragraph 16;
- To add the words, “and also reflected the Executive’s view of the outcome of the consultation process”, at the end of paragraph 18.

Members then agreed that decisions taken in relation to the sale had resulted in a loss of capital receipt to the Council. They concluded that this had been due to the nature of the transaction, the changes to the brief, the lack of an Environmental Impact Assessment, and the lack of periodic reviews of the project, including updates to the risk assessment, especially given the speculative nature of land values. They agreed that best value was not achieved, taking the project as a whole, although each decision had been taken in good faith.

Members also expressed the view that there might have been a more effective way of dealing with the protest movement and recommended that the Council should review the way it handles objections to schemes.

- RESOLVED:
- (i) That the contents of the report be noted and the amendments to wording, as set out above, be agreed;
  - (ii) That it be agreed that no additional information be required to progress the review;
  - (iii) That it be agreed that there was a loss in capital for the Council as a result of the decisions taken and that best value was not achieved;
  - (iv) That it be agreed that a draft of the final report be circulated first to the Chair and then to other Members

for comment, prior to being considered at a meeting provisionally scheduled for 5pm on 2 July 2008.<sup>1</sup>

REASON: To ensure full consideration of all the objectives, and the completion of the review within the agreed timeframe.

Action Required

1 To circulate draft final report.

GR

J LOOKER, Chair

[The meeting started at 5.00 pm and finished at 6.30 pm].