

EXECUTIVE BOARD

Monday 20 November 2006

COUNCILLORS PRESENT: Councillors Goddard (Chair), Rundle (Vice-Chair), Armitage, Bance, Fooks, Malik, Murray, Sellwood, Tall and van Zyl.

OFFICERS PRESENT FOR THE WHOLE OR PART OF THE MEETING: Caroline J Bull (Chief Executive), Sharon Cosgrove, Mark Luntley and Michael Lawrence (Strategic Directors), Martin Lyons (Financial and Asset Management Business Unit), Jeremy Thomas and Brenda Lammin (Legal and Democratic Services Business Unit).

164. APOLOGIES FOR ABSENCE

An apology for absence was received from Councilor Fooks.

165. DECLARATIONS OF INTEREST

There were no declarations of interest.

166. PUBLIC QUESTIONS

No questions were asked in accordance with Procedure Rule 13(iii).

167. STATEMENT OF GAMBLING LICENSING POLICY

The Head of Legal and Democratic Services submitted recommendations from the Licensing and Gambling Act Committee together with a report of the Environmental Health Business Manager (previously circulated and now appended).

Resolved that Council be RECOMMENDED to: -

- (1) note that the Executive Board supported the passing of a “no casino” resolution under Section 166 of the Gambling Act 2005;
- (2) adopt the Statement of Gambling Licensing Policy, as set out in Appendix 3 of the Environmental Health Business Manager’s report, to take effect from 31 January 2007, but subject to (1) above and (3) below
- (3) authorise the Environmental Health Business Manager to make any necessary textual adjustments to the Statement before it is published on 3 January 2007 that might arise from the publication of Regulations under the 2005 Act and/or are required for clarification or consistency.

168. WESTGATE REDEVELOPMENT – PROPOSED COMPULSORY PURCHASE ORDER

The Strategic Director, Physical Environment, submitted a report (previously circulated and now appended).

Resolved that: -

- (1) the Board confirms that it is satisfied that the Westgate redevelopment is likely to contribute to achieving the promotion or improvement of economic, social and environmental well being of the City;
- (2) subject to completion of an appropriate Compulsory Purchase Order Cost Indemnity Agreement, the Council shall make a Compulsory Purchase Order under Section 226 (1)(a) of the Town and Country Planning Act 1990, and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 for the acquisition of land and the creation of new rights within the areas shown by a red line on the plan (attached as Appendix 1) for the purposes of securing a mixed use development including retail and residential accommodation, a new multi-storey car park, improvements to the Westgate Library, provision of a new bus facilities and a bus priority route;
- (3) the Head of Legal and Democratic Services in consultation with the Strategic Director, Finance and Corporate Services, be authorised to take all necessary steps to secure the making, confirmation and implementation of the Compulsory Purchase Order including: negotiating and entering into agreements or undertakings with land owners, acquisition of third party interests by private treaty, payment of compensation (subject to full indemnity), setting out the terms for the withdrawal of objections to the Order, (including, where appropriate, seeking exclusion of land from the Order) and/or making arrangements for relocation of occupiers;
- (4) it be noted that there were no financial implications as all costs would be reimbursed by the developer.

(At the request of Councillor Sellwood a recorded vote was taken on the above resolution. Councillors Goddard, Rundle, Armitage, Bance, Malik and Murray voted in favour, Councillor Sellwood voted against (on human rights grounds) and Councillor van Zyl abstained.)

169. UNITARY STATUS – FINANCE ISSUES

The Chief Executive and the Strategic Director, Finance and Corporate Services, submitted a joint report (previously circulated and now appended).

Resolved that: -

- (1) the approach set out in the report be endorsed;

- (2) Council be RECOMMENDED to approve the use of up to £60,000 of General Fund balances for preliminary work and (if agreed in January 2007) to support the City Council's case to Government.

The meeting began at 2.30 pm and ended at 2.45 pm.