

Extraordinary Full Council – 3 September 2018

Supplementary Information

Written replies to questions from councillors



Issued by: Ian Hird, Democratic Services
City Hall, Bristol, BS1 5TR
Tel: 0117 92 22384
E-mail: democratic.services@bristol.gov.uk
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QUESTIONS RECEIVED BY DEADLINE – 5.00 pm, Tue 28 August 2018

All questions relate to agenda item 5 – Motions (Arena site) – full details enclosed

Questions from Councillors:

CQ 01 – from Councillor Geoff Gollop

CQ 02 – from Councillor Claire Hiscott

CQ 03 – from Councillor John Goulandris

CQ 04 – from Councillor Liz Radford

CQ 05 – from Councillor Gary Hopkins

CQ 06 – from Councillor Jerome Thomas

CQ 07 – from Councillor Anthony Negus

CQ 01 (question also submitted to Cabinet on 4 September 2018)

Question submitted by: Councillor Geoff Gollop

BACKGROUND TO RAREFIED REVIEW ON ALTERNATE USE FOR THE TEMPLE QUARTER SITE

1. KPMG's 'high level appraisal' on the alternative use of Arena Island is full of caveats. The implication is that all the forecasts for the mixed use development have been prepared by the City Council and that KPMG have only "reviewed" them. Has further work been undertaken to assess if the plans are commercially viable?
2. How much did that work cost and who funded it?

REPLY:

1. The KPMG appraisal was a detailed assessment of an illustrative example of a possible alternative use which demonstrated that the benefits are so much greater than the proposed arena.

The market is the best judge of commercial viability. Given that L&G has subsequently come forward with a more ambitious scheme, we would be foolish to not believe this would be commercially viable.

2. The initial proposal reviewed by KPMG was drawn up by Bristol City Council's City Design team at no external cost.

CQ 02 (question also submitted to Cabinet on 4 September 2018)

Question submitted by: Councillor Claire Hiscott

POTENTIAL CONSEQUENTIAL LOSSES ARISING FROM ALTERNATIVE USE FOR ARENA ISLAND

1. Can the Mayor give a categorical assurance that there are no contractual or contingent liabilities that would arise from the cancellation of the proposals for an Arena at Temple Meads?

2. The Freedom of information disclosures show YTL expecting Council Officers to give guidance on how a Brabazon Arena could deal with the Sequential Test in any planning application.

“BCC would work with us on the sequential test and transport in so far as they are able without compromising their legal position”

Does the disclosure of this email conflict with the Authority’s Statutory planning responsibility and will it not increase the risk of litigation to any decision the Mayor makes?

REPLY:

1. It is impossible to give a categorical assurance about any decision, including proceeding with the proposed arena. Legal advice has been received in respect of the recommendation and this will inform any decision. I cannot give any detailed information as this is exempt.

2. No – there is no conflict whatsoever. In fact it is a core function for BCC to work within the law with developers and other stakeholders to shape the development of the city and liaison with developers over proposals is commonplace.

CQ 03 (question also submitted to Cabinet on 4 September 2018)

Question submitted by: Councillor John Goulandris

CONFIRMATION OF DEALINGS WITH BUCKINGHAM GROUP & ARENA ISLAND LIMITED

1. The Mayor made great emphasis of the Council's even-handedness in dealing with both proposals for the Temple Meads site. The meetings of the Mayor and officers with YTL have been disclosed thanks to FOI requests. Can he detail his and officer meetings with Buckingham and Arena Island since Buckingham was appointed?
2. Without wishing to pre-empt any response to the above, is the Mayor confident the record will show him to have genuinely acted 'even-handedly' in this matter?

REPLY:

1. Since Buckingham was appointed and during the period of the pre-construction agreement the arena team was co-located and met daily. From Nov 2017 they have maintained regular contact. The arena team has met and had regular contact with Arena Island Ltd. As my officers leading on the arena have regular interaction they supply me with continuous updates and reports. Their proposition is well known and there would have been nothing to be gained from me meeting with them personally.

On YTL, this was a new proposition with the opportunity to save £190m of public money so I was interested to hear their proposal.

2. Yes.

CQ 04 (question also submitted to Cabinet on 4 September 2018)

Question submitted by: Councillor Liz Radford

CLARIFICATION AROUND HOSPITALITY AND MALAYSIA TRIP

I presume the Mayor flew from Singapore to Malaysia for his “working lunch” on 12th July 2018.

As there is no declaration of gift, it is implicit that the City Council paid for that ticket and the other flights in the Singapore Malaysia trip.

1. How much did the tickets cost?
2. Does the Mayor still stand by his claim that there were no costs to the taxpayer of his meetings with YTL?

REPLY:

1. The economy tickets for my travel from London Heathrow to Singapore, Singapore to KL and KL to London Heathrow came to £1,267.94 – paid for by BCC.

I travelled to Singapore with West of England Combined Authority Metro Mayor Tim Bowles for the World Cities Summit. I then travelled onto Malaysia to meet investors hosted by the UK Government’s Department for International Trade and the Malaysian Investment Development Authority. You can’t have it both ways. Am I being criticised for letting YTL pay for flights, or criticised for tax payers money being used?

2. Yes. I didn’t fly to Malaysia to meet YTL, they were one of the investors present.

Some connections were organised by Malaysian Investment Development Authority, including CREST, Invest KL, OSK Holdings.

Others were organised by the UK Department for International Trade/British High Commission and hosted by British High Commissioner at the Residence. Attendees included: Director of International Trade, DIT Capital Investment Specialist, British Malaysian Chamber of Commerce, Chinese Chamber of Commerce & Industry of KL & Selangor, ASLI and PriceWaterHouseCoopers.

I also met EcoWorld, Orando, Sapuro Group as well as YTL separately.

CQ 05 (question also submitted to Cabinet on 4 September 2018)

Question submitted by: Councillor Gary Hopkins

1. Given that any alternative plans that the mayor might have for arena island are likely to take 18 months plus before they can be brought to anything like reality and you will be almost certainly be out of office by then will the mayor give an assurance that he will not seek to put obstacles in the way of the new mayor progressing the planned arena at Temple meads
2. Will the Mayor give an assurance that no public money will be spent on plans that will almost certainly be abortive.

REPLY:

1. This administration has been working to remove obstacles and get stuff done. We want to make sure that the scheme is affordable, deliverable, and aligned with my administration's priorities of affordable housing and decent jobs.
2. Yes, I can give you the assurance. Nobody would spend money on any plans that would "almost certainly" be abortive.

CQ 06 (question also submitted to Cabinet on 4 September 2018)

Question submitted by Councillor Jerome Thomas

Question to the Mayor regarding the proposed mixed use development at Temple Island.

Background

Article PBR9 of the Council's constitution makes clear the Mayor's decisions must be in line with the Policy Framework agreed and voted on by Full Council. Policy BCAP35 of the Council's Local Plan forms part of this policy framework and is binding on the Mayor. This policy specifies that development in Bristol Temple Quarter will include a major indoor arena, which will require at least two hectares of land. The binding nature of the Policy Framework on elected mayors is an important part of the checks and balances in place nationally to ensure that elected mayors do not move too far away from the views of the people who elected them and the views of their elected councillors. If the Mayor wishes to relocate the arena then he should contribute to the upcoming review of the Local Plan, to be signed off in early 2019, where any change to the proposed location of an arena can be addressed.

The proposal to Cabinet relating to alternative uses of Temple Island is not consistent with the requirement of the Local Plan because it effectively rules out the realistic possibility of an arena in Temple Quarter.

Question:

Please can the Mayor explain how his recommendations to Cabinet are consistent with Policy BCAP35 of the Local Plan which specifies that development in Bristol Temple Quarter will include a major indoor arena.

REPLY:

1. As you have already been told by the Monitoring Officer, the following advice holds:

The local plan primarily provides a framework for decision makers within the development control sphere i.e. the Planning Committee. It is the nature of local plans that they are indicative as opposed to mandatory as regards the Mayor and as such the existence of the local plan in the terms set out in your email would not preclude the Mayor from taking a decision which proposed a mix of uses not including an Arena. Any new scheme would be subject to the statutory planning process where the relevance and provisions of the Local Plan would be taken into account when considering any forthcoming planning application.

Both schemes achieve the strategic aims of the site.

CQ 07

Question submitted by: Councillor Anthony Negus

1. The Arena report to Cabinet refers to the importance of analysis of Value for Money and Social Value.

OSMB, the senior Scrutiny body, identified before last October the absence of any report on Social Value and the Bristol-wide greater economic Value, that is bigger than the single site alone.

Why has the Mayor steadfastly avoided briefing consultants to produce this as well and can he not see the massive void that makes in his recommendation?

2. The recommendation of the Arena report, at point 3 says:

The Council develops a business case for the re-allocation to other projects of the £53m Economic Development Fund (EDF) money earmarked for the Arena project. Such business case to be submitted for approval to the West of England Local Enterprise Partnership at the earliest opportunity.

In the discussion at OSMB, it was quite clear that YTL were planning on applying for this fund to be transferred to be used on the Filton development. As this seems now to have changed, a) what is the reason and b) what will the consequence for YTL be if they no longer have access to this very large sum of money? Will it make an arena at Filton unviable?

REPLY:

1. The social value input statement is in the cabinet papers. The social value assessment and associated narrative is outlined in the finance commentary Appendix G of cabinet paper and more in depth input metrics and high level comparative data set is enclosed within Appendices I61 – I68.

2. The LEP funding pot you refer to is for infrastructure and the cabinet report is very clear that this would be allocated to alternative project subject to business case approval.

YTL wouldn't be able to apply for that money.

Under the section 106 rules, YTL would have to pay for transport improvements if they were to build an arena in North Bristol.

Viability of an arena in North Bristol is a matter for YTL.