

ITEM 6

Time Commenced – 6.30 pm
Time Finished – 8.05 pm

Regeneration and Culture Overview and Scrutiny Board

12 November 2014

Present: Councillor Stanton (Chair)
Councillors M Holmes, Jackson, MacDonald, Troup and Turner

In attendance: Councillors Ashburner, Care, Eldret, Rawson and Skelton

25/14 Apologies for Absence

Apologies for absence were received from Councillors Dhindsa and Wood.

26/14 Late Items

There were no late items.

27/14 Declarations of Interest

There were no declarations of interest.

28/14 Meeting procedure for a call-in of a Council Cabinet decision

The Chair referred to the procedure and advised members of the board of its application during the meeting.

29/14 Call-in of Council Cabinet decision 79/14 – Vibrant City Strategy

The Scrutiny Officer presented a range of reports which had been circulated to the board for consideration. These comprised:

- A report which had been prepared for Council Cabinet at its meeting on 22 October 2014 by the Cabinet Member for Planning, Environment and Regeneration and by the Chief Executive;
- A further report which had been prepared by the board following consideration of the same item on 21 October 2014;
- A minute extract from the Council Cabinet meeting on 22 October 2014, showing consideration of both reports referred to above; and
- A Notice of a Call-in of an Executive Decision which had been received from Councillors Ashburner, Care and Skelton on 31 October 2014, in relation to the same matters as referred to in minute 79/14 of Council Cabinet.

The three signatories to the Call-in were present at the meeting and in-turn presented their reasons for calling in the decision. It was stated by the signatories that the decision was in breach of five of the council's decision-making principles, namely:

- Proportionality;
- Due consultation and the taking of professional advice from officers;
- A presumption in favour of openness;
- Clarity of aims and desired outcomes; and
- A record of what options were considered and giving the reasons for decision.

Councillor Care presented reasons for bringing into question all of the principles detailed above, while Councillor Ashburner referred specifically to the clarity of aims and desired outcomes, and Councillor Skelton detailed perceived failings in relation to the presumption in favour of openness.

In addition, it was stated by one of the signatories, Councillor Care, that another relevant factor was a failure for the report to demonstrate factors in relation to the city's district centres which had been taken into account in reaching the decision. Suggested information that could have been present in the report included previous upgrades to district centres, land ownership, existing shop premises and vacancy levels and footfall.

Following questions by members of the board, the Cabinet Member, Councillor Rawson, presented his response to the call-in. It was detailed how it was felt the information presented to members showed that the issues raised by the signatories had been addressed.

In addition, Councillor Rawson stated that the Vibrant City Strategy would enhance the quality of experience in those shopping areas affected, having a positive impact on the communities that were affected. In specific response to a point which had been raised by the signatories in relation to why some areas had been chosen instead of others, it was explained that common sense had been applied, such as not investing in district centres that had already benefited from significant recent improvement.

Following further questions by members of the board, the Chair put the matter to the vote. One of the five participating members, one voted that there had been a breach in two areas ('clarity of aims and desired outcomes' and 'record of what options were considered and giving reasons for the decision') and one voted that there had been a breach in only one area ('a presumption in favour of openness') while three members voted that there had been no breach.

Under paragraph 18 of the Meeting Procedure for a Call-in of a Council Cabinet Decision, the Chair proposed to the board that it must now resolve that Council Cabinet decision 79/14 did not breach the council's decision-making principles. This was carried.

Resolved that Council Cabinet decision 79/14 did not breach the council's decision-making principles.

MINUTES END