

## **Notice of Call-In of an Executive Key Decision**

In accordance with Rule OS36 of the Council's Constitution, we the undersigned hereby give notice that we wish to call-in the following key decision:

1. Decision: **Derby Performance Venue - Progressing the Project to the Next Stage**
2. Meeting at which the decision was made: **Council Cabinet**
3. Date of the meeting: **4th October 2017**

We believe that the following principles of decision making have been breached by the making of this decision (tick relevant boxes):

- a) Proportionality (i.e. the action must be proportionate to the desired outcome) ☒
  - b) Due consultation and the taking of professional advice from officers ☒
  - c) Respect for human rights ☐
  - d) A presumption in favour of openness ☒
  - e) Clarity of aims and desired outcomes ☒
  - f) A record of what options were considered and giving the reasons for the decision ☒
- and/or that relevant issues do not appear to have been taken into consideration ☐

We believe these principles have been breached for the following reasons:

	<b>Principle</b>	<b>Reasons why breached</b>
a.	Proportionality	The feasibility study carried out to date at an already substantial cost, has failed to result in sustainable proposal with any financial viability. The spending of a further £500k on such a speculative proposed development, without the necessary funding being identified and included in the Capital program, cannot be prudent financially or proportionate to the risks involved.
b.	Due consultation and the taking of professional advice from officers	The report does not have the signed off approval of any financial officer of the Council. Full consultation is required to obtain the buy in of the public and partners in respect of the right scheme for this crucial development.
c.	Respect for human rights	N/A
d.	A presumption in favour of openness	There is no detail in the report of how any further consultation will be conducted or the timescales involved. There are no proposals for progress of the development and ongoing costs to be scrutinised or reviewed by cabinet on an on-going basis.
e.	Clarity of aims and desired outcomes	No detailed breakdown has been provided in respect of the considerable expenditure spent to get the proposal to this stage.  There is no detailed breakdown of what the extra £500k would be spent on or how much each part of the process would cost.
f.	A record of what options were considered and giving the reasons for the decision	There is no evidence to suggest that any consideration has been given to an approach whereby each next step in the process is identified, costed and funded, on an on going basis as the proposal develops and after the result of any further consultations are known.
	and/or that relevant issues do not appear to have been taken into consideration	N/A