

SUSTAINABLE GROWTH SCRUTINY COMMITTEE	Agenda Item No. 4
31 MARCH 2010	Public Report With an Exempt Annex NOT FOR PUBLICATION in accordance with Paragraph 3 of Schedule 12A of Part 1 of the Local Government Act 1972.

Report of the Solicitor to the Council

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REQUEST FOR CALL-IN OF AN EXECUTIVE DECISION: DISPOSAL OF THE FORMER LADY LODGE ARTS CENTRE SITE

1. PURPOSE

- 1.1 To consider a request to call-in an executive decision made by the Cabinet Member for Resources.

2. RECOMMENDATIONS

- 2.1 That the Sustainable Growth Scrutiny Committee considers a request to call-in a decision taken by the Cabinet Member for Resources in respect of the disposal of the former Lady Lodge Arts Centre site.

3. BACKGROUND

- 3.1 On 16 March 2010, the Cabinet Member for Resources made an executive decision relating to the disposal of the former Lady Lodge Arts Centre site. In accordance with the Constitution this decision was published on 17 March 2010.
- 3.2 On 22 March 2010, Councillors Goldspink and Murphy submitted a request to call-in this decision on the following grounds:
- (i) The decision does not follow the principles of good decision making as set out in Article 12 of the Council's Constitution, specifically that the decision maker did not:
- (a) Act for a proper purpose and in the interests of the public.
- 3.3 A copy of the request to call-in is attached at Appendix 1 and a copy of the decision notice is attached at Appendix 2. An exempt annex which relates to this decision is at Appendix 3 and has been sent to members of the Committee under separate cover.
- 3.4 After considering the request to call-in and all relevant advice, the Committee may either:
- a) not agree to the request to call-in, when the decision shall take effect;
- b) refer the decision back to the decision maker for reconsideration, setting out its concerns; or
- c) refer the matter to full Council.

4. IMPLICATIONS

- 4.1 Any implications are contained within the decision notice at Appendix 2 and the exempt annex at Appendix 3.

5. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

None

6. APPENDICES

Appendix 1 – Request to Call-In Decision

Appendix 2 – Decision Notice

Appendix 3 – Exempt Annex