

**OVERVIEW AND SCRUTINY
COMMITTEE**

6.30 P.M.

5TH JANUARY 2009

PRESENT:- Councillors Stuart Langhorn (Chairman), Emily Heath (Vice-Chairman), Susan Bray, Mike Greenall, Val Histed, Karen Leytham, Roger Plumb, Roger Sherlock and Jude Towers

Also Present:

Councillors Roger Mace, Jane Fletcher, Rebekah Gerrard, Peter Robinson, Bob Roe, John Barnes, June Ashworth, Keran Farrow, Roger Dennison and Tony Wade

Cabinet Members observing:

Councillors Evelyn Archer, Abbott Bryning, and David Kerr

Officers in attendance:-

Mark Cullinan	Chief Executive
David Owen	Head of Cultural Services
Stephen Metcalfe	Principal Democratic Support Officer
Liz Bateson	Senior Democratic Support Officer

**46 REQUEST TO CALL-IN CABINET DECISION - DOME OPTIONS - CABINET MINUTE
97**

Members were advised that the Cabinet decision in relation to the Dome Options – Minute 97, had been Called-in by the following 5 Members:

Councillors Mike Greenall, Roger Plumb, Rebekah Gerrard, Peter Robinson and Ron Sands.

Members were informed that the Call-in had been made on the basis that the decision of Cabinet had not been made in accordance with all the principles set out in Article 13 (Decision Making) of the Constitution, in particular:

- (a) Proportionality (i.e. the action must be proportionate to the desired outcome)
- (b) Due consultation and the taking of professional advice from Officers
- (d) A presumption in favour of openness
- (e) Aims and desired outcomes will be clearly expressed
- (f) Options that were considered and the reasons for arriving at the decision will be explained

The Chairman outlined the procedure to be followed and invited Councillor Plumb to summarise the reasons for the Call-in.

The Chairman invited Councillors Fletcher and Mace to explain the reasons for the decision of Cabinet.

The Chairman invited signatories to the Call-in to ask questions and Councillors Fletcher, Mace and the Head of Cultural Services responded.

The Chairman invited Members of the Overview and Scrutiny Committee to ask questions and Councillors Fletcher, Mace and the Head of Cultural Services responded.

The Chairman invited other Members present to ask questions and Councillors Fletcher, Mace and the Head of Cultural Services responded.

The meeting adjourned at 8.05pm and reconvened at 8.40pm.

On behalf of the Call-in signatories it was proposed by Councillor Plumb and seconded by Councillor Greenall:

“That the Cabinet decision to close the Dome in principle from 1st June 2009 was based on grossly inaccurate information provided in the Capita Symonds Report and prior to the Council determining its Corporate Plan priorities and objectives for 2009/10 we recommend:

1. That the future of the Dome is referred to Full Council on 4th February for further discussion as part of the Council’s consideration of the 2009/10 Corporate Plan priorities and related budget process with a view to delivering a balanced budget that would ensure the Dome remaining open for a minimum of 3 further years.
2. That, in the event that the decision to close the Dome from June 2009 is upheld, the Cabinet resolution (minute 97 (4) refers) requesting a further report on the viability of The Platform be prepared as soon as possible.”

Councillor Bray proposed that the recommendations be considered separately but after having taken procedural advice from the Chief Executive, the Chairman informed the meeting that this was not necessary and Councillor Bray withdrew the proposal.

Members then voted on the original proposition as set out above. 2 Members voted in favour of the proposition, 6 Members against with 1 abstention whereupon the Chairman declared the proposition lost.

It was proposed by Councillor Bray and seconded by Councillor Leytham:

“That the Overview and Scrutiny Committee agree to uphold Cabinet’s decision in relation to the Dome.”

Upon being put to the vote 6 Members voted in favour of the proposal, 2 Members against and 1 Member abstained whereupon the Chairman declared the proposition to be carried.

By way of an amendment, it was proposed by Councillor Plumb, seconded by Councillor Greenall and agreed unanimously:

“That it be recommended to Cabinet that the further report requested with regard to the Dome (Cabinet Minute 97 (3) refers) contains details of the urgent works and financial implications of running the Dome until 1st June 2009.”

Resolved:

- (1) That the Overview and Scrutiny Committee agree to uphold Cabinet’s decision in relation to the Dome.

- (2) That it be recommended to Cabinet that the further report requested with regard to the Dome (Cabinet Minute 97 (3) refers) contains details of the urgent works and financial implications of running the Dome until 1st June 2009.

Chairman

(The meeting ended at 9.10 p.m.)

**Any queries regarding these Minutes, please contact
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