

**OVERVIEW AND SCRUTINY
COMMITTEE**

6.00 P.M.

28TH OCTOBER 2015

PRESENT:- Councillors Nigel Goodrich (Chairman), June Ashworth (Vice-Chairman), Lucy Atkinson, Alan Biddulph, Tracy Brown (substitute for Rob Devey), Brett Cooper, Caroline Jackson, David Whitaker and Phillippa Williamson

Apologies for Absence:-

Councillor Rob Devey

Also in Attendance:-

Councillor Eileen Blamire, Tim Hamilton-Cox, Janice Hanson, Roger Mace and Nick Wilkinson

Officers in attendance:-

Mark Cullinan	Chief Executive
Mark Davies	Chief Officer (Environment)
Debbie Chambers	Democratic Services Manager
Jenny Kay	Civic & Ceremonial Democratic Support Officer

36 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of Urgent Business to consider.

37 REQUEST TO CALL-IN CABINET DECISION - STOREY - TASTING GARDEN - CABINET MINUTE 37

Members were advised that the Cabinet decision in relation to Storey - Tasting Garden - Cabinet Minute 37 had been called-in by the following 5 Members:

Councillors Caroline Jackson, June Ashworth, Tim Hamilton-Cox, Roger Mace and Nick Wilkinson.

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

(e) The aims and desired outcomes of the decision are not clearly expressed.

The Chairman outlined the procedure to be followed and invited the Councillors who had made the Call-in request to summarise the reasons for the Call-in. Councillor Jackson set out the reasons for the Call-in.

The Chairman invited Councillor Eileen Blamire (Leader of the Council) and Councillor Janice Hanson (Cabinet Member with responsibility for Economic Regeneration and Planning) to explain the reasons for the decision of Cabinet.

The Chairman invited signatories to the Call-in to ask questions and Councillor Hanson, Councillor Blamire and the Chief Officer (Environment) responded.

The Chairman invited Members of the Overview and Scrutiny Committee to ask questions and Councillor Hanson, Councillor Blamire and the Chief Officer (Environment) responded.

It was proposed by Councillor Jackson and seconded by Councillor Cooper :-

“That Cabinet consider approving the following decision :

Consider that restoration of the artwork is not a high priority for the Council, but nevertheless a minimal amount of officer time will be provided to clarify the governance issues necessary to enable the Friends group to apply for major grant funding to restore the artwork as the lead partner with the Council. This funding would need to include a reasonable sum to cover appropriate project management of the restoration, plus insurance and future maintenance costs of the artwork to minimise any future liability on the Council’s budget. Following the clarification of governance issues and clear permission to proceed the Friends group to be given 12 months to raise the necessary funds. If fundraising is unsuccessful in this timescale the Council to revert to the alternative masterplan option of improving the gardens without restoring the artwork.”

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

Resolved :-

That Cabinet consider approving the following decision :

Consider that restoration of the artwork is not a high priority for the Council, but nevertheless a minimal amount of officer time will be provided to clarify the governance issues necessary to enable the Friends group to apply for major grant funding to restore the artwork as the lead partner with the Council. This funding would need to include a reasonable sum to cover appropriate project management of the restoration, plus insurance and future maintenance costs of the artwork to minimise any future liability on the Council’s budget. Following the clarification of governance issues and clear permission to proceed the Friends group to be given 12 months to raise the necessary funds. If fundraising is unsuccessful in this timescale the Council to revert to the alternative masterplan option of improving the gardens without restoring the artwork.

Chairman

(The meeting ended at 6.46 p.m.)

**Any queries regarding these Minutes, please contact
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or email jkay@lancaster.gov.uk**