

REQUEST FOR CALL-IN

This form is to be used when calling in a decision taken by the Cabinet, an Individual Member of the Cabinet or a committee of the Cabinet, or a key decision made by an officer with delegated authority from the Cabinet, or under joint arrangements. The full procedure is set out in paragraph 16, Part 4, Section 5 of the Constitution and page 53 of the Handbook.

ITEM TO BE CALLED IN: Cabinet Minute 109: resolutions (1), (2), and (4)	
Cabinet decisions on Lancaster Market	
DATE DECISION TAKEN: <u>15 February 2011</u>	
DECISION TAKEN BY:	Tick
Cabinet	Yes
Individual Member of Cabinet (please state) Councillor _____	
Committee of Cabinet (please state)	
Key Decision by Officer with delegated authority (please state)	
Joint Arrangements (please state)	
REASONS FOR CALL-IN: (please indicate at least one reason why the decision in question has not been made in accordance with the principles set out in Article 13 of Constitution)	Tick
(a) Proportionality (i.e. the action must be proportionate to the desired outcome)	Yes
(b) Due consultation and the taking of professional advice from Officers	Yes
(c) Respect for human rights	
(d) A presumption in favour of openness	Yes
(e) Aims and desired outcomes will be clearly expressed	Yes
(f) Options that were considered and the reasons for arriving at the decision will be explained	Yes
<p>REASONS WHY DECISION HAS NOT BEEN MADE IN ACCORDANCE WITH THE PRINCIPLE(S) SET OUT ABOVE AND (IF APPROPRIATE) PROPOSED ALTERNATIVE COURSE OF ACTION:</p> <p>Resolution (3) of Minute 109 is not being called in.</p> <p>It stated "That officers be instructed to enter into leases with traders at Lancaster Market Hall that would allow for the potential relocation to new premises or a break or redevelopment clause for the purpose of refurbishing and revitalising the market hall (should transfer into alternative premises not prove feasible)."</p> <p>Resolution (1) is being called in and if changed, there are consequential amendments required to resolutions (2) and (4)</p> <p>Reasons for calling in resolution (1) are:</p> <p>(a) With the exception of the reference to the Kings Own Royal Regimental Museum, the decision takers did not consider how the proposed conversion of the Museum would impact upon the current users of the Museum building - or how it would be reconciled with the District's Heritage and Culture Strategies in support of Tourism etc.</p> <p>(b) Consultation with the portfolio holder with responsibility for Museums was inadequate.</p> <p>(d) It is understood that the Museum building is returning into City Council control in 2012, and that the Council has no obligation to undertake public consultation on the use it makes of its buildings. Nevertheless it would have been good practice to engage with stakeholders and respond to the concerns expressed to cabinet by stakeholders.</p> <p>(e) Consequences for the future of the permanent displays in the City Museum and for the storage of Museum artefacts that are not displayed, and for the future location of temporary exhibitions currently located from time to time on the ground floor of the City Museum were ignored/unknown. see also (a) above</p> <p>(f) It was not given as an option in the report that multiple alternative possible premises for the</p>	

Market Traders be investigated prior to determining which alternative merited the appointment of external consultants or specialist architects. The future use of the Market building was not considered in the event that it is no longer occupied by Market tenants. There was no clarity that implementing a move of the Market Tenants to a new location would achieve the objective of reducing the annual costs to the Council of the Market Building or that an alternative use or user for the Market Building would become available to follow any permanent move by the Market Tenants to new premises.

SIGNED:	Members of Overview & Scrutiny Committee Cllr ___ Bray _____ Cllr ___ Sherlock _____
	Three Further Councillors Cllr ___ Mace _____ Cllr ___ Sands _____ Cllr ___ Harrison _____

(Note: A valid request for call in must be signed by a total of 5 Members of the Council, including 2 or more Members of the Overview & Scrutiny Committee, and all 5 Councillors must not be from the same political group.)

DATE: ___ 24 February 2011 _____

THIS REQUEST FOR CALL IN MUST BE SUBMITTED TO THE CHIEF EXECUTIVE (BY POST, FAX OR E-MAIL) WITHIN 5 WORKING DAYS OF THE DATE OF PUBLICATION OF THE DECISION.