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MEETING	SCRUTINY MANAGEMENT COMMITTEE (CALLING IN)
DATE	12 OCTOBER 2009
PRESENT	COUNCILLORS HEALEY (CHAIR), FUNNELL (VICE-CHAIR), ORRELL, SCOTT, SIMPSON- LAING, TAYLOR, WAUDBY AND HYMAN (SUBSTITUTE)
APOLOGIES	COUNCILLOR R WATSON
IN ATTENDANCE	COUNCILLORS CRISP AND B WATSON

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## 19. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

## 20. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

## 21. MINUTES

RESOLVED: That the minutes of the Scrutiny Management Committee (Calling In) meeting held on 14 September 2009 be approved and signed by the Chair as a correct record.

## 22. CALLED IN ITEM: THE BARBICAN AUDITORIUM

Members received a report which asked them to consider the decisions made by the Executive at their meeting on 22 September 2009 in relation to the Barbican Auditorium.

Details of the Executive's decisions were attached as Annex 1 to the report. The original report to the Executive was attached as Annex 2. The decisions had been called in by Cllrs Scott, Crisp and B Watson on the grounds that:

*"The Executive has failed to follow the recommendations of the Shadow Executive, inter alia:*

- (i) It failed to specify community days as an essential criterion in marketing to prospective bidders;*
- (ii) It failed to specify community days as an important weighting in the scoring of bids; and*
- (iii) It abdicated responsibility by passing the decision on final criteria and weighting to the Chief Executive."*

Members were invited to decide whether to confirm the decisions of the Executive (Option A) or to refer them back to the Executive for re-consideration and / or amendment (Option B).

Cllr Crisp addressed the meeting on behalf of the Calling-in Members. She re-iterated the reasons given for the Calling-in, stressing the importance of listening to the views of York residents on the future of the Barbican Auditorium, views and stating that these had not been considered by the Executive in reaching their decisions. She urged the Committee to refer the matter back to the Executive with a recommendation that they accept responsibility for setting the final criteria and weighting and specify the inclusion of community days as an important part of the scoring of any bids received from developers.

At the invitation of the Chair, Cllr Brian Watson also spoke on behalf of the Calling-in Members. He emphasised the point that 'community days' should be an essential part of any bid and stated that York residents wanted the Barbican to be an entertainments auditorium, not a conference centre.

Officers attending the meeting outlined the work carried out on the Barbican building over the past few months and reminded Members of the context of the Executive's decisions, which had been taken in the light of consultants' advice not to make the bid criteria too prescriptive at this stage.

Following questions to Officers and a full debate, Cllr Scott moved, and Cllr Simpson-Laing seconded, that Option B be approved and the matter referred back to the Executive for re-consideration, with a recommendation that they specify a minimum of 6 days' community use as part of the bid criteria and that they take full responsibility for establishing the final criteria and weighting rather than delegating it to the Chief Executive.

The above proposal was then put to the vote. Four Members voted for and four against the proposal. The Chair then used his casting vote against the proposal, which was therefore declared LOST. It was then

**RESOLVED:** That Option A be approved and that the decisions of the Executive on this item be confirmed.

**REASON:** In accordance with the requirements of the Council's Constitution and because the Committee considers that there is no basis for re-consideration of the decisions.

P Healey, Chair

[The meeting started at 5.00 pm and finished at 5.35 pm].