

Report of the Assistant Director, Governance and ICT

**Called-in Item: York Guildhall – Creating a Digital Media Arts Centre**

**Summary**

1. This report sets out the reasons for the call-in of the decisions made by Cabinet on 16 December 2014 in relation to the establishment of a viable re-use of the Guildhall complex as a Digital Media Arts Centre (DMAC) in accordance with the Cabinet decision on 16 July 2013. The decisions taken gave approval to proceed with the procurement of a design team and an operating partner to run the DMAC, lease the building and release monies from the Economic Infrastructure Fund for the design of the building to the planning stage.

This cover report sets out the powers and role of the Corporate and Scrutiny Management Committee in relation to dealing with the call-in.

**Background**

2. An extract from the Decision Sheet issued after the Cabinet meeting is attached as Annex A to this report. This sets out the decision taken by the Cabinet on the called-in item. The original report to the Cabinet meeting on the called-in item is attached as Annex B to this report.
3. Cabinet's decision has been called in by Councillors Aspden, Cuthbertson and Waller for review by the Corporate and Scrutiny Management Committee (CSMC) (Calling-In), in accordance with the constitutional requirements for call-in. The following are the reasons given for the call-in:

*“The report lacks many crucial details needed to support the proposal. These include:*

- *A thorough business case to justify council expenditure on the project.*

- *Detail on the revenue projections including estimated rental income.*
- *A proper analysis of alternative options for the Guildhall.*
- *An examination of whether this is the correct location for the use being proposed or any comparison with other similar projects.*
- *An analysis of how the risk could be more appropriately shared with the private sector, especially on elements which might be better handled by organisations more experienced in the specific fields of business.”*

## **Consultation**

4. In accordance with the requirements of the Constitution, the calling-in Members have been invited to attend and/or speak at the Call-In meeting, as appropriate.

## **Options**

5. The following options are available to CSMC (Calling-In) Members in relation to dealing with this call-in, in accordance with the constitutional and legal requirements under the Local Government Act 2000:
  - a. To decide that there are no grounds to make specific recommendations to the Cabinet in respect of the report. If this option is chosen, the original decision taken on the item by the Cabinet on 16 December 2014 will be confirmed and will take effect from the date of the CSMC (Calling-In) meeting; or
  - b. To make specific recommendations to the Cabinet on the report, in light of the reasons given for the call-in. If this option is chosen, the matter will be reconsidered by Cabinet at a meeting of Cabinet (Calling-In) to be held on 27 January 2015.

## **Analysis**

6. Members need to consider the reasons for call-in and the report to the Cabinet and form a view on whether there is a basis to make specific recommendations to the Cabinet in respect of the report.

## **Council Plan**

7. There are no direct implications for this call-in in relation to the delivery of the Council Plan and its priorities for 2011-15.

## Implications

8. There are no known Financial, HR, Legal, Property, Equalities, or Crime and Disorder implications in relation to the following in terms of dealing with the specific matter before Members; namely, to determine and handle the call-in.

## Risk Management

9. There are no risk management implications associated with the call in of this matter.

## Recommendations:

10. Members are asked to consider all the reasons for calling in this decision and decide whether they wish to confirm the decisions made by the Cabinet or refer the matter back for reconsideration and make specific recommendations on the report to Cabinet.

**Reason:** To enable the called-in matter to be dealt with efficiently and in accordance with the requirements of the Council's Constitution.

## Contact details:

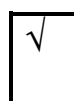
### Author:

Dawn Steel  
Head of Civic &  
Democratic Services  
01904 551030

### Chief Officer Responsible for the report:

Andrew Docherty  
Assistant Director, Governance and ICT

Report  
Approved



Date 9 January 2015

**Specialist Implications Officer(s)** None

**Wards Affected:**

All



**For further information please contact the author of the report**

## Annexes

Annex A – Extract from the Decision Sheet produced following the Cabinet meeting on the called-in item.

Annex B – Report of the Cabinet Member for Finance and Performance,  
16 December 2014.

**Background Papers**

None