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**Corporate and Scrutiny Management Committee  
(Calling – In)**

**26 September 2014**

Report of the Assistant Director, Governance and ICT

**Called-in Item: Community Stadium and Leisure Facilities Update**

**Summary**

1. This report sets out the reasons for the call-in of the decisions made by the Cabinet on 9 September 2014 in relation to procurement for the Community Stadium and City Leisure Facilities contract. Following completion of the final stage bid Greenwich Leisure Ltd have been selected as the preferred bidder for the creation of a new leisure destination of regional significance which will include an extensive range of community focused facilities.
2. The call-in decisions however do not include Cabinet's separate recommendation to Council for the approval of £4m Prudential Borrowing for capital investment in replacement leisure facilities. Constitutionally, call-in rules do not apply to matters referred to Council for decision.

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**

3. An extract from the Decision Sheet issued after the Cabinet meeting is attached as Annex A to this report. This sets out the decisions 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.
4. Cabinet's decisions have been called in by Cllrs Ayre, Cuthbertson and Orrell for review by the Corporate and Scrutiny Management Committee (CSMC) (Calling-In), in accordance with the constitutional requirements for call-in. Although the Members continue to support the building of a Community Stadium, they have a number of concerns and give the following reasons for the call-in:
  - The failure to publish a business plan, an analysis of the four bids or any detail on the commercial land deal

- The failure to consult key groups such as the users of Waterworld or local residents in Huntington
- The lack of any evidence of genuine community input into the proposals or proper cross-party discussion
- The failure to commit to keeping Yearsley Pool open in the long-term
- The concerns raised publicly by the Chairman of York City Knights
- The lack of an assessment of the impact the new proposals will have on the city-centre.

### **Consultation**

5. 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**

6. 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 9 September 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 7 October 2014.

### **Analysis**

7. 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

8. 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

9. 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

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

## Recommendations:

11. 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.

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### Chief Officer Responsible for the report:

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Report  
Approved



Date 12 September 2014

**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 Leisure, Culture and Tourism, 9 September 2014.

**Background Papers**

None