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

26 November 2007

Report of the Head of Civic, Democratic and Legal Services

**YORK RACE COURSE – APPLICATION FOR LEASE
EXTENSION AND AMENDMENTS – CALLED-IN
DECISION FROM EXECUTIVE**

Summary

1. This report sets out the reasons for the call-in of the decision made by the Executive relating to York Racecourse – Application for Lease Extension and Amendments. It also explains the powers and role of Scrutiny Management Committee (Call-In) [SMC] in relation to dealing with the call-in.

Background

2. At the meeting of the Executive held on 20 November 2007, the decision set out at Appendix A to this report was made.
3. Subsequent to that decision, Councillors Scott, Merrett, Fraser, Gunnell and King then called-in the decision for review by SMC (Calling -In) in accordance with the constitutional requirements for post-decision call-in. The reasons given for the call-in are as follows:-
 - (a) The Executive should have referred the lease back to Officers for further negotiation and/or should have ensured that monies were earmarked from the monies received to ensure that the issues raised by the Shadow Executive were addressed.

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 SMC (Calling-In) in relation to dealing with this call-in in relation to the constitutional and legal requirements under the Local Government Act 2000:
 - (a) to confirm the decision of the Executive in the sense that SMC (Calling-In) does not believe there is any basis for reconsideration. If this option is chosen the decision takes effect from the date of the SMC (Calling-In) meeting;
 - (b) to refer it back to the decision taker to reconsider or amend in part their decision (ie: the provisional Executive (Calling-In) meeting on 27 November 2007).

Analysis

6. Members need to consider the reasons for call-in and the basis of the decision made by the Executive and form a view on whether there is a basis for reconsideration of that decision.

Corporate Priorities

7. The issues in this report do not relate to the council's current Corporate Priorities for Improvement.

Implications

8. There are no known 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 the call-in and reasons for it and decide whether they wish to confirm the decision made by the Executive or refer it back to them for reconsideration.

Reason:

To enable the called-in matter to be dealt with efficiently.

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Report Approved



Date 21/11/07

Specialist Implications Officer(s)

None

Wards Affected:

Micklegate, Dringhouses and Woodthorpe

All

For further information please contact the author of the report

Annexes

Appendix A – decision of the Executive – 20 November 2007

Appendix B - Executive report – 20 November 2007