

DECISION-MAKER:	OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE
SUBJECT:	CALL-IN OF EXECUTIVE DECISION CAB 21/22 32527: NORTHERN ABOVE BAR PROPERTIES
DATE OF DECISION:	9 NOVEMBER 2021
REPORT OF:	SERVICE DIRECTOR – LEGAL AND BUSINESS OPERATIONS

<u>CONTACT DETAILS</u>			
Executive Director	Title	Deputy Chief Executive	
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STATEMENT OF CONFIDENTIALITY	
<p>Appendices 2-5 are not for publication by virtue of Categories 3 and 7(A) of paragraph 10.4 of the Council's Access to Information Procedure Rules. It is not considered to be in the public interest to disclose the information because doing so would put the Council or other parties at a commercial disadvantage and prejudice the Council's negotiating position and its ability to achieve best consideration.</p>	
BRIEF SUMMARY	
<p>A Call-In notice has been received from the Chair of the Overview and Scrutiny Management Committee (OSMC) in respect of the following decision made by Cabinet on 18 October 2021:</p> <ul style="list-style-type: none"> Northern Above Bar Properties 	
RECOMMENDATIONS:	
<p>Following consideration of the attached Cabinet report, related appendices and Decision Notice, the Committee is recommended either:-</p>	
	<p>(i) To recommend that the Decision Maker re-consider the called-in decision at the next decision meeting; or</p>
	<p>(ii) To advise the Decision Maker that the Scrutiny Committee does not recommend that the decision be reconsidered and that it can therefore be implemented without delay.</p>
REASONS FOR REPORT RECOMMENDATIONS	
1.	<p>The recommendations reflect the options available to the Overview and Scrutiny Management Committee through the implementation of the agreed Call-In process.</p>

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
2.	Not applicable.
DETAIL (Including consultation carried out)	
3.	A Call-In notice signed by the Chair of the OSMC has been received in accordance with Paragraph 12 of the Overview and Scrutiny Procedure Rules set out in Part 4 of the Council's Constitution. The Call-In notice relates to the following decision made by the Cabinet on 18 October 2021: <ul style="list-style-type: none"> Northern Above Bar Properties
4.	Paragraph 12 of the Overview and Scrutiny Procedure Rules provides a mechanism for members of the OSMC to challenge executive decisions that have been made but not implemented. The documents attached to this report relate to the decision that has been called in under this procedure and include: <ul style="list-style-type: none"> The Call-In Notice: Detailing who called-in the decision and why The Decision Notice: Detailing the decision taken and the reasons for the decision The Decision Report: The report on which the decision was based.
5.	It is for the OSMC to discuss the subject of the Call-In with the decision maker to determine whether it wishes the decision maker to re-consider the previous decision, or to clear the proposals for implementation without further re-consideration.
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
6.	The relevant details are set out in Appendix 3.
<u>Property/Other</u>	
7.	The relevant details are set out in Appendix 3.
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
8.	The relevant details are set out in Appendix 3.
9.	The duty to undertake overview and scrutiny is set out in Part 1A Section 9 of the Local Government Act 2000.
<u>Other Legal Implications:</u>	
10.	The relevant details are set out in Appendix 3.
RISK MANAGEMENT IMPLICATIONS	
11.	The relevant details are set out in Appendix 3.
POLICY FRAMEWORK IMPLICATIONS	
12.	The relevant details are set out in Appendix 3.
KEY DECISION?	No
WARDS/COMMUNITIES AFFECTED:	None directly as a result of this report

SUPPORTING DOCUMENTATION

Appendices

1.	Call In Notice
2.	Confidential Decision Notice – Northern Above Bar Properties
3.	Decision Report – Northern Above Bar Properties
4.	Confidential Appendix 1 to Decision Report
5.	Confidential Appendix 2 to Decision Report

Documents In Members' Rooms

1.	None
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Equality Impact Assessment

Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out?	Identified in Appendix 3
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Data Protection Impact Assessment

Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out?	Identified in Appendix 3
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Other Background Documents

Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1. None	