

# CHESHIRE EAST COUNCIL

## CORPORATE SCRUTINY COMMITTEE

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**Date of meeting:** 25 July 2011  
**Report of:** The Borough Solicitor and Monitoring Officer  
**Title:** Call In of Crewe Heritage Centre

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### **1.0 Report Summary**

This report sets out the procedure for the Call-in of the decision of the Cabinet Member for Prosperity made on 27<sup>th</sup> June 2011 to declare the site of the Crewe Heritage Centre surplus to the requirements of Cheshire East Council.

### **2.0 Recommendations**

2.1 That the Scrutiny Committee considers whether or not it wishes to offer advice to the decision maker in response to the Call In.

### **3.0 Wards Affected**

5.1 All Wards

### **4.0 Local Ward Members**

4.1 All Members for the above Wards.

### **5.0 Policy Implications**

5.1 Contained within the attached report.

### **6.0 Financial Implications**

6.1 Contained within the attached report.

### **7.0 Legal Implications**

7.1 Contained within the attached report.

### **8.0 Risk Assessment**

8.1 Contained within the attached report.

### **9.0 Background and Options**

9.1 In accordance with Scrutiny Procedure Rule 12.3, any 8 or more Councillors can call in a decision. In this case, 8 Members have called in the above decision for the reasons identified in Appendix 1

- 9.2 In accordance with Scrutiny Procedure Rule 12.6 the Committee has two options in respect of any further action. The Committee may decide to offer no advice, in which case the decision may be implemented. Alternatively, the Committee may decide to offer advice, in which case, the matter must be referred to the decision maker, in this case the Cabinet Member for Prosperity, in order for a decision to be made upon it. In accordance with Scrutiny Procedure Rule 12.8, the decision maker is not bound to accept any advice offered to him and will have sole discretion on any further action to be taken. Such action may include:
- (1) Confirming with or without amendment the original decision; or
  - (2) Deferring the matter pending further consideration; or
  - (3) Making a different decision.
- 9.3 Where the Scrutiny Committee decides to offer advice, this must be clearly documented in the minutes
- 9.4 If the Scrutiny Committee decides not to offer any advice, then the decision of the Cabinet Member for Prosperity can be implemented immediately.
- 9.5 Full details of the Call-In Procedure can be found at Scrutiny Procedure Rule 12
- 9.6 The Cabinet Member for Prosperity and Lead Officer will attend the meeting to explain the background and reasons for the decision and to answer any questions the Committee may have.
- 9.7 The following records the decision of the Cabinet Member for Prosperity of 27 June 2011:

**'RESOLVED**

That the Cabinet Member for Prosperity agrees that the site of the Crewe Heritage Centre be declared surplus to the requirements of Cheshire East Council and that a 125 year lease be offered for sale on the open market with a restrictive covenant to preserve the site for the rail heritage of Crewe, the lease to be subject to such terms and conditions as are determined by the Assets Manager, Borough Solicitor and Head of Regeneration.'

- 9.8 The Report of the Strategic Director, Places considered by the Cabinet Member for Prosperity on 27 June is attached at Appendix 2.
- 9.9 A response to the issues raised in the Call-In Notice is attached at Appendix 3.

**10.0 Appendices**

Appendix 1 – Call In Notice

Appendix 2 – Report of the Strategic Director, Places

Appendix 3 – Response to the issues raised in the Call-in Notice

***For further information:-***

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***Background Documents:-***

Documents are available for inspection at:

Legal and Democratic Services, Westfields, Middlewich Road, Sandbach, CW11 1HZ