
CALL-IN OF EXECUTIVE DECISION

Purchase of a site at 22 Market Place, Leicester

OVERVIEW SELECT COMMITTEE - 8 September 2022

COUNCIL – 29 September 2022

REPORT OF THE MONITORING OFFICER

Useful information

- Ward(s) affected: All
- Report author: Graham Carey
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- Report version number: V1

1. Summary

An Executive decision taken by the City Mayor on 19 July 2022 relating to the purchase of 22 Market Place has been the subject of a five-member call-in under the procedures at Rule 12 of Part 4D, City Mayor and Executive Procedure Rules, of the Council's Constitution.

The procedure rules state that a scrutiny committee or any five councillors may request formally that the decision be called-in for a further review by giving notice in writing to the Monitoring Officer within five working days of the decision.

The five Councillors who signed the call in were: Councillor Kitterick (proposer), Councillor Waddington (second), Councillor Sangster, Councillor Willmott and Councillor Rahman.

2. Recommended actions/decision

The Overview Select Committee is recommended to either:

- a) Note the report without further comment or recommendation. *(If the report is noted the process continues and the call in will be considered at Council on 29 September 2022);* or
- b) Comment on the specific issues raised by the call-in. *(If comments are made the process continues and the comments and call in will be considered at Council on 29 September 2022);* or
- c) Resolve that the call-in be withdrawn *(If the committee wish for there to be no further action on the call-in, then they must actively withdraw it. If withdrawal is agreed the call-in process stops, the call-in will not be considered at Council on 29 September 2022 and the original decision takes immediate affect without amendment).*

Council is recommended to either:

- a) Support the City Mayor's decision, and thus confirming the decision with immediate effect; or
- b) Recommend a different decision to the City Mayor. (The original decision will still stand, unless the City Mayor takes a further decision to amend the original.)

3. Scrutiny / stakeholder engagement

The purchase of 22 Market Place was not considered with a scrutiny commission prior to the decision being made.

4. Background and options with supporting evidence

The Executive Decision Report and Decision Notice are attached at Appendix A and Appendix B.

5. Detailed report

The call-in submitted to the Monitoring Officer was in the following terms:

“We the undersigned wish to call in the City Mayor's executive decision to purchase 22 Market Place.

We wish to do this in order to gain further insight as to the rationale for the purchase of this property, as the potential returns on the City Council's outlay do not appear to justify the investment and the report does not explain the strategic need for its purchase from a highways and transport infrastructure perspective.

Assessing the acquisition as an investment, the purchase price, further granting of a peppercorn rent and potential costs of renovating a listed building, are not justified by even the most optimistic estimate of income. These estimates have further doubt cast on them by the present vacancies in the immediate vicinity of 22 Market Place.”

The Monitoring Officer has confirmed that the call-in satisfies the requirements of the procedure rules and it has, therefore, proceeded as per the process set out at Rule 12 of Part 4D, City Mayor and Executive Procedure Rules of the Council's Constitution.

Where a call-in has been made, officers are to take no further legally binding action, unless the circumstances of Rule 12 (f) are fulfilled, and the matter shall be referred to a meeting of the full Council. Prior to this it shall be referred to the relevant Scrutiny Committee if one is programmed or a special scrutiny committee if one is convened.

The call-in may however be withdrawn if:

The relevant scrutiny committee makes a resolution to withdraw; or

The sponsor and seconder of the call-in inform the Monitoring Officer that they wish the call-in to be withdrawn.

Following consideration of a call-in by full Council, the original decision will be deemed to be revived in its entirety. Any agreement by the decision maker to change the original decision will require a further formal Executive Decision.

6. Financial, legal, equalities, climate emergency and other implications

6.1 Financial implications

There are no direct financial implications arising from the call-in.

Colin Sharpe, Deputy Director of Finance, Ext. 37 4081

6.2 Legal implications

The legal implications arising from the call-in are explained in sections 2 and 5 above

Kamal Adata, Monitoring Officer, Extn 371401

6.3 Equalities implications

There are no comments in addition to those in the decision report.

Kalvaran Sandhu, Equalities Manager, Extn 376344

6.4 Climate Emergency implications

There are no climate change implications in addition to those in the decision report associated with this report, as it is solely concerned with financial issues.

Aidan Davis, Sustainability Officer, Ext 372284

6.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None

7. Background information and other papers:

None

8. Summary of appendices:

Appendix A Executive Decision Report – Purchase of 22 Market Place dated 19 July 2022.

Appendix B Decision Notice - Purchase of 22 Market Place dated 19 July 2022.

9. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

No