



Report to Economic and Environmental Wellbeing Scrutiny & Policy Development Committee 24th June 2015

Subject: Call-in of decision on 'The Graves Park Charitable Trust: Cobnar Cottage'

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Type of item:

Reviewing of existing policy	
Informing the development of new policy	
Statutory consultation	
Performance / budget monitoring report	
Cabinet request for scrutiny	
Full Council request for scrutiny	
Community Assembly request for scrutiny	
Call-in of Cabinet decision	x
Briefing paper for the Scrutiny Committee	
Other	

1. Background

1.1 On the 18th March 2015 Cabinet, acting as Charity Trustees took the following decision:

(a) notes the objections received, but for the reasons set out in this report, delegates authority to the Director of Legal and Governance to make an application to the Charity Commission for a scheme to give the Trustee the power to dispose of the freehold interest in Cobnar Cottage and to invest the capital receipt in improving the facilities in Graves Park, rather than holding it as a permanent endowment and just applying the income to the charitable objects; and

(b) if an appropriate scheme is made by the Charity Commission following the application, confirms its authority to proceed with the disposal in accordance with the recommendations approved following the report to Cabinet on July 17 2013.

1.2 The full report is attached as appendix A.

- 1.3 As per Part 4, section 16 of Sheffield City Council's Constitution, this decision has been called in, preventing implementation of the decision until it has been considered by this Scrutiny Committee.
- 1.4 The Call-In notice is attached at appendix B, stating that the reason for the call-in is "to consider alternative proposals for Cobnar Cottage and/or land. To consider if such proposals better advance the objects of the charity."

2 The Scrutiny Committee is being asked to:

2.1 As per the Scrutiny Procedure rules, scrutinise the decision and take one of the following courses of action:

- (a) refer the decision back to the decision making body or individual for reconsideration in the light of recommendations from the Committee;
- (b) request that the decision be deferred until the Scrutiny Committee has considered relevant issues and made recommendations to the Executive;
- (c) take no action in relation to the called-in decision but consider whether issues arising from the call-in need to be fed back to the decision maker or added to the work programme of an existing Scrutiny Committee;
- (d) if, but only if (having taken the advice of the Monitoring Officer and/or the Chief Finance Officer), the Committee determines that the decision is wholly or partly outside the Budget and Policy Framework, refer the matter, with any recommendations, to the Council after following the procedures in the Budget and Policy Framework Procedure Rules

(If a Scrutiny Committee decides on (a), (b) or (d) as its course of action, there is a continuing bar on implementing the decision).

2.2 The Scrutiny Procedure rules state that if a decision is referred back, it is referred back to the individual or body that made the decision. In this case the decision maker is the Cabinet acting as Charity Trustees.

Category of Report: OPEN