



Report to Economic and Environmental Wellbeing Scrutiny & Policy Development Committee 29th July 2015

Subject: Call-in of decision on 'Walkley Library - Proposed Disposal'

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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 30 June 2015 the Leader of the Council took the following decision:

- (i) Approves the disposal of the Walkley Library property to Forum Café Bars subject to an identified area of the refurbished building being leased back to the Council for 125 years at a peppercorn rent to enable a library to be run from the premises;
- (ii) Approves the Council granting a sub-lease of the designated library space to Walkley Carnegie Library Group to run as an Associate (independent) library; and
- (iii) delegates authority the Director of Capital and Major Projects to conclude negotiations with the two parties in consultation with the Head of Libraries and Community Services, including the authority to agree a revised purchase, should this be required as a result of the space being reconfigured, to agree the commuted sum for maintenance and utilities costs and to instruct the Director of Legal Services to complete the required legal documentation.

1.2 The full report to the Leader of the Council contained commercially sensitive information and was a closed report. This meant it was not a

public report. A redacted version of the report with the commercially sensitive information removed is attached as appendix A. This has been published on the Council's website as part of the papers for this meeting.

- 1.3 The original closed report is attached as Appendix B. This has only been provided to all the Committee Members and to the Councillors who have signed the Call-in to enable them to scrutinise the decision.
- 1.4 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.
- 1.5 The Call-In notice is attached at appendix C, stating that the reason for the call-in is "to ensure further scrutiny is undertaken on the Leader's decision to sell Walkley Library"
- 1.6 The Cabinet Member for Neighbourhoods, Cllr Isobel Bowler will attend the Scrutiny meeting on 29th July 2015 as the relevant Cabinet Portfolio holder.

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 Leader of the Council.

Category of Report: Partially Closed.

Appendix B is a closed report because it contains exempt information under Paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended).

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