

Report of the Organisation and Resources Select Committee:

Call-in of Cabinet's decision to close Urchfont Manor House

Purpose

1. To present the conclusions and recommendations of the Organisation and Resources Select Committee following its meeting on 30th January to consider a call-in request from the Chairman of the Committee, Cllr Jeff Osborn, with respect to Cabinet's decision to close Urchfont Manor House.
2. The Select Committee resolved that it had concerns about the level of consultation undertaken with respect to the decision to close Urchfont Manor House and therefore refer the matter back to Cabinet as the decision maker. Cabinet is required to reconsider the matter within 5 working days of the Select Committee's meeting, amending the decision or not, before adopting a final decision.

Background

3. The call-in request related to a decision taken by Cabinet on 17th January to close Urchfont Manor House. This decision was taken under an item proposing the creation of a town centre customer access facility in Devizes and the closure of three buildings, detailed within a report from Carlton Brand, Corporate Director.
4. On 24th January, Cllr Jeff Osborn, Chairman of the Organisation and Resources Select Committee, gave formal notice to call-in Cabinet's decision to close Urchfont Manor House (The provision for a call-in of an executive decision is set out in the Overview and Scrutiny Procedure Rules in the Council's Constitution). The reasons given were:
 - Consultation should be taken with interested parties where appropriate and practicable (*para 14.2 – Part 1 – Article 14 – Decision Making*).
 - All reports to the Cabinet from any member of the Cabinet or an officer on proposals relating to the budget and policy framework must contain details of the nature and extend of consultation with shareholders, advisory panels and relevant overview and scrutiny committees, and the outcome of that consultation. Reports about other matters will set out the details and outcome of consultation as appropriate. The level of

consultation required will be appropriate to the nature of the matter under consideration (*Para 25 – Part 7 – Cabinet Procedure Rules*).

- Reports must state that consultation has been carried out in accordance with the Council's consultation strategy or explain the reason for any divergence from the strategy (*Para 26 – Part 7 – Cabinet Procedure Rules*).
5. On 30th January, the Organisation and Resources Select Committee met to consider Cllr Osborn's call-in request. The meeting was chaired by Cllr Tony Deane, Vice-Chairman of the Committee. Several members of the public submitted written statements or spoke at the meeting. Cllr Osborn presented his reasons for requesting the Call-in and responses were provided by the Cabinet Member for Campus Development and Culture, the Cabinet Member for Waste, Property, Environment and Development Control Services, and the Cabinet Member for Children's Services.

Resolution of the Committee

6. The Organisation and Resources Select Committee resolved that it has concerns regarding Cabinet's decision to close Urchfont Manor House and hereby refers the matter back to Cabinet, who are required to reconsider the matter within 5 working days.
7. The Committee requests that Cabinet reconsider the decision in light of consultation as defined within paragraphs 25 and 26 of the Cabinet procedure rules in Part 7 of the Constitution (copied above). The Committee's concerns discussed at the meeting can be summarised as follows:

With regards to paragraph 25 of the Cabinet Procedure Rules;

- Urchfont Manor Management Board is either a stakeholder or an advisory panel (or both). Although the Chairman of the Management Board was advised of the final decision to dispose of Urchfont Manor, other members of the Board were not. The Committee is not satisfied that Board Members' involvement in discussions about the future of Urchfont Manor during the years preceding the decision to close represents adequate consultation on that decision.
- The closure and disposal of Urchfont Manor is a budgetary matter. Therefore the relevant report to Cabinet should have contained details of the nature and extent of consultation with shareholders, advisory panels and relevant overview and scrutiny committees, and the outcome of that consultation.
- The relevant overview and scrutiny committee (i.e. the Organisation and Resources Select Committee) were not consulted on the decision at any stage.

With regards to paragraph 26 of the Cabinet Procedure rules;

- The report to Cabinet proposing the closure of Urchfont Manor House did not state that consultation had been carried out in accordance with the Council's consultation strategy or explain the reason for any divergence from the strategy.
8. The Committee did not accept that if the decision to dispose of Urchfont Manor House was strategic, consultation was therefore not required.

Recommendation to Cabinet

9. The Organisation and Resources Select Committee requests that Cabinet reconsider the decision to close Urchfont Manor House in light of consultation, as defined within paragraphs 25 and 26 of the Cabinet procedure rules in Part 7 of the Constitution.

Cllr Jeff Osborn, Chairman of the Organisation and Resources Select Committee

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Background documents

'Proposed Creation of Central Devizes Customer Access Point, the Closure of Browfort, Urchfont Manor and Bradley Road Building' – report to Cabinet, 17th January 2012
