

To: The Chief Executive

1. NOTICE OF CALL-IN OF EXECUTIVE DECISION

In accordance with Overview and Scrutiny Procedure Rule 22, we, the undersigned, hereby give notice that we wish to call-in the Executive decision detailed in section 2 below:

NAME (PLEASE PRINT)	SIGNATURE
Cllr Bill Stephenson	<i>Bill Stephenson</i>
Cllr Paul Scott	<i>Paul Scott</i>
Cllr Navin Shah	<i>Navin Shah</i>
<i>Cllr BOB CURRIE</i>	<i>Bob Currie</i>
<i>Cllr NANA ASANTE</i>	<i>NAsante</i>
<i>CLLR MRINAL K. CHOUDHURY</i>	<i>MChoudhury</i>

DETAILS OF EXECUTIVE DECISION

The details of the Executive decision are as follows:

Decision: Part of Recommendation 1 '...; the development of a new "Byron Hall" Facility at another location, in partnership and subsequent to a commercial review; ... ' all under Agenda Item 9 'Development of Leisure and Cultural Services Facilities' p22 of the Cabinet agenda papers.

Made by: **November 9, 2007**
(Cabinet/relevant Portfolio Holder)

Cabinet

Published **November 15, 2007**
On:

(Date) **November 22, 2007**

rec'd 15.05.

Harrow Legal Services
22 NOV 2007
Rec'd 1

3. GROUNDS FOR CALL-IN

Please specify below the grounds for the call-in, in accordance with Overview and Scrutiny Procedure Rule 22.5 (the grounds on which an Executive decision may be called in are set out overleaf). Please note that the considerations of the Call-in Sub-Committee will focus on the grounds stated, and the Sub-Committee will seek evidence to support them. Please therefore also set out below details of the evidence to support the grounds for call-in, continuing on a separate sheet if necessary.

In making this call-in we have paid due attention to the recently adopted guidance as laid out in Appendix 1 of the Overview and Scrutiny Call-In Procedure entitled 'The spirit of co-operation'. The call-in has been issued within the five clear working days from the date of the executive decision being published. The matter involves the expenditure of millions of pounds and certainly well over the stipulated £50,000. The affects the provision of a major facility used for large gatherings affects the interests of residents in all wards in the Borough. This is a decision, which can only be taken by Cabinet. The call-in is signed by six councillors at least two of whom are from different political groups.

Introduction

Byron Hall is the only major facility within Harrow, which can host functions for in the region of 1000 plus people. In the redevelopment of the current Leisure Centre it is proposed to demolish Byron Hall and not replace it by a similar facility in the new Leisure Centre. The Cabinet papers acknowledge '**There is undoubtedly demand for a facility with a large floor space which can be used effectively to meet a range of needs and which offers a good customer experience.**' (See 2.5 (i) on p28 of the Cabinet papers.) This is particularly in high demand by many of the Borough's ethnic minority groups. However, despite this there is no commitment to replace the Byron Hall facility else where in the Borough only a commitment to '**An extensive review will determine the business case for a new 'Byron Hall'.**' (Bullet point one under section headed Byron Hall on p23 of the Cabinet papers.) This means that there is absolutely no guarantee that Byron Hall will be replaced elsewhere in the Borough. No mention is made of any potential sites let alone any capital to buy such a site and build a new 'Byron Hall' on it. In such circumstances it is difficult to believe in reality that this important community facility is going to be actually replaced. If it is, then what was once a Council owned facility would be replaced by a privately financed facility – a real loss to the community.

(a) Inadequate consultation with stakeholders prior to the decision

As indicated above the loss of Byron Hall with no real commitment to its replacement will particularly affect some ethnic minority groups.

- Once again there has been absolutely no consultation with users or representatives of those with physical disabilities such as Harrow Association of Disabled people.
- This decision clearly flouts the Compact entered in with the voluntary sector - yet again - to allow for eight clear weeks for consultations on decisions such as these. Many voluntary organisations have a major interest in Byron Hall.
- Moreover it would seem that an incomplete Equalities Impact has been carried out for this particular project contrary to the Race Relations Act 2005 amendment. There is no mention in Section 2.12 Equalities Impact of the non-replacement of Byron Hall. Indeed the Cabinet papers state that **'An initial Equalities Impact Assessment for the overall project has been completed and will be reviewed in the light of consultation.'** However, it is clear that no decision should be taken until a full Equalities Impact Assessment is completed. There is no point in reviewing the decision in the light of consultation if a final irrevocable decision has already been taken,
- As this will involve a major change in the provision of community facilities within the Borough, which is a significant objective in the UDP, we feel that the Local Development Framework Panel should have been consulted.
- The meeting of the Town Centre and Major Projects Panel due to meet on November 19 was cancelled on November 7 – the day before the Cabinet met – 'due to lack of business'. As already indicated this body was set up precisely to consider all major projects. It has not even had a glimpse of what is being proposed on the Byron Road site. The four recently appointed independent advisers must be very perturbed about all this and wondering if they have any real role whatsoever. In our view this panel should and could have met to consider these proposals and their views should and could have been before Cabinet before it made its decision. The Portfolio Holder's response has been vague and really quite unacceptable. The independent advisers have expertise in architecture and town planning, environmental issues, traffic issues and, and heritage matters. They have not been consulted or given the opportunity to make any input.

(b) The absence of adequate evidence on which to base a decision

As indicated above the evidence in the Cabinet papers is that **'There is undoubtedly demand for a facility with a large floor space which can be used effectively to meet a range of needs and which offers a good customer experience.'** (See 2.5 (i) on p28 of the Cabinet papers.) So not only is there no evidence in the Cabinet papers to support the decision but the evidence given is to the contrary to support the need for a 'Byron Hall' facility.

Once completed, please forward this form to Michelle Fernandes in Room 143, Civic Centre or send it by fax to 020 8424 1557 WITHIN 5 WORKING DAYS OF THE DATE OF PUBLICATION OF THE DECISION.