

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>ALL BOB CARIE</i>	<i>Bob Carie</i>
Cllr NANA ASANTE	<i>Nana Asante</i>
<i>CLLR MRINAL K. CHOUDHURY</i>	<i>M Choudhury</i>

DETAILS OF EXECUTIVE DECISION

The details of the Executive decision are as follows: -

Decision: Recommendation 13 'Agree not to proceed with the Cabinet decision to develop a combined library/arts centre at Gayton Road on December 14 2006, minuted as item 152.' and the consequent Recommendations 7 – 12 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. GROUNDINGS 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 decision affects the provision of leisure facilities within the Town Centre and would affect 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

Since 2004 there has been cross-party agreement that the Gayton Library needed to be rebuilt and replaced by a modern library incorporating the Civic Centre Library. There was also an acknowledgement that Harrow urgently needed a modern performance and exhibition space and that this could be best achieved by providing these in the Town Centre because of its outstanding accessibility by public transport. The cross-party Town Centre Panel was set up to take a strategic overview of the development of the Town Centre and it was kept informed of the progress on this project. This Panel has now become the Town Centre and Major Projects Panel and now includes four independent expert advisers. At its meeting on December 14, 2006, Cabinet agreed to go ahead with a project to build a brand new library combining both the Civic Centre Library and the Gayton Road Library in conjunction with a performance space and exhibition space. Fairview Homes would build the new arts complex/library on the Gayton Road site as part of the Council's agreement with them over the sale of Gayton Road Car Park. The Overview and Scrutiny Committee set up a cross-party group to scrutinise this decision and reported to Cabinet on July 19 and the Portfolio Holder stated that this report would be 'an important aide-memoire'.

(a) Inadequate consultation with stakeholders prior to the decision

The decision made by Cabinet has important implications for the development of the Town Centre. The Town Centre has very few public or private leisure facilities and has been described as a 'cultural desert'. Other than eating and drinking establishments there are a multiplex cinema, an Asian cinema and three gyms. For many years the residents of Harrow have been asking for a performance space/exhibition space in the Town Centre like other surrounding boroughs as evidenced in consultations over the years. Proposals to have this both in St Anns and in St Georges were unfortunately dropped but there was cross-party consensus that this should go ahead on the Gayton Road site. Indeed the Gayton Road site is designated in the UDP for mixed development. The decision not to go ahead with this project is extremely unexpected and has not been consulted on in any way by the specialist and expert bodies set up to overview the situation. Furthermore this decision goes against what is laid out in the UDP and now totally changes the whole character and nature of the new proposed Town Centre. Across the southern part of the Town Centre there are five major building projects amounting in all to about 1500 homes including nine storey high rise buildings, almost no parking and at present no plans for the necessary infrastructure – traffic and road layout, new schools, doctors' surgeries, shops etc which will be needed to service this massive overall development.

We think that it is paramount that there is proper consultation both within the Council's own internal mechanisms and among local residents as to their views at this sudden and dramatic change in Council policy. We urge the call-in sub committee to support this view.

- 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 the development of the Town Centre in the round. 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.

- As there is a major change in what is laid out in the UDP we also feel that the Local Development Framework Panel should have been consulted.
- Local businesses should have been consulted through the Harrow Town Centre Forum.
- Most of all local residents should have had say as to whether they really want to see a 1500 nine storey high rise housing development spread right across the southern part of the Town Centre.

Another major issue is the future of the Borough's main library. This is to be moved for five years to Garden House, which is a five-storey building with a single lift. This will be very much a third rate situation for the library and, will, in particular, pose particular problems for those with physical disabilities whilst at the same time being hugely inconvenient for other users – there will be no parking provided whatsoever. Furthermore there is no certainty about what will happen to the Library at the end of five years. No new site has been identified for it let alone where the capital for such a new library will come from.

- 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 the development of a performance/exhibition space and the new library, and certainly in the siting of the Borough's main library in Garden House for five years.
- Moreover it would seem that no Equalities Impact has been carried out for this particular project contrary to the Race Relations Act 2005 amendment. The only mention in the section in the Cabinet papers in Section 2.12 is to the new leisure facilities but not to the development (or rather lack of it) of the Gayton Road site and the re-siting of the main library in Garden House.
- Finally we should say that the Overview and Scrutiny Committee has been totally ignored and bypassed. Having carried out a scrutiny review of this project and presented it to the July Cabinet, absolutely no attempt was made to consult this group about this decision or to give them the chance to meet and consider and scrutinise this major change in policy. Before any final decision is taken we believe that this Group should be consulted on this proposal and their views taken into account. Otherwise like the independent advisers on the Town Centre and Major Projects Panel or

indeed the panel itself there seems very little point in developing expertise and evidence only for it to be totally ignored.

For all the above reasons we believe that there has been absolutely no consultation at all with stakeholders and we ask the Call-In Committee to recommend to Cabinet that this is vitally necessary before this decision is allowed to stand. It is worth recalling that there were extensive **public** consultations about the future of the 'Post Office' site and the proposed transport hub, which in the end significantly affected out come, as it should.

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

The only evidence offered in the Cabinet papers for not going ahead with the Gayton Road project was that 'the programme was not affordable in the light of the Council's constrained circumstances'. No figures are given nor is there any indication of what actual project was being costed. Draft design briefs were deposited in the Members' Library and members of the Scrutiny Group were given to understand that this project could be achieved with the finance of just under £10 million being offered by Fairview Homes. Despite persistent questioning both at Cabinet and at the Overview and Scrutiny Committee no precise figures have been given as to the lack of affordability and whether this was due to capital or revenue costs. Nor is there any indication that consideration was given in these calculations to the opportunity for a capital receipt and revenue savings arising from vacating the Civic Centre Library site, which could then be used for other Council activities. Furthermore there is no evidence that consideration was given to other alternatives such as, for example, a more modest scheme of re-building a new library on the Gayton Road site incorporating the Civic Centre Library but without the performance space/exhibition space. We would ask the Call-In Committee to ask the Cabinet to provide far more evidence before going ahead with this decision.

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.