

Minutes of the Meeting of the Overview & Scrutiny Committee
held at Riverside, Lowestoft on **Thursday, 4 January 2018 at 6.05 pm**

Overview & Scrutiny Committee Members present:

Councillors N Webb (Chairman), S Barker, E Back, A Cackett, T Gandy, T Goldson, L Gooch, K Grant, P Light, J Murray, K Robinson and K Springall

Cabinet Members in attendance

Councillor B Provan – Cabinet Member for Resources

Councillor G Catchpole – Cabinet Member for Operational Partnerships

Other Members in attendance

Councillor L Coulam

Officers present

K Blair (Head of Operations), M Fitzsimmons (Valuer), K Hurlock (Asset & Investment Manager), A Jarvis (Strategic Director), A Photi (Democratic Services Officer) and N Wotton (Democratic Services Manager)

1 APOLOGIES FOR ABSENCE / SUBSTITUTES

Apologies were received from Councillors S Allen and G Elliott.

Councillor N Webb was in the Chair for the meeting.

Councillor A Cackett substituted for Councillor S Allen as a Member of the Overview & Scrutiny Committee.

2 DECLARATIONS OF INTEREST

Councillor S Barker declared a Local Non Pecuniary Interest in Agenda item 5 as she was the lead signatory on the Call-in request and had an annual rental of a Lowestoft beach hut managed by Sentinel Leisure Trust.

Councillor Cackett declared a Local Non Pecuniary Interest in agenda item 5 as she was the Deputy Cabinet Member for Merger & Communities without voting rights.

Councillor T Gandy declared a Local Non Pecuniary Interest in agenda item 5 as she was a named signatory in support of the Call-in.

Councillor L Gooch declared a Local Non Pecuniary Interest in agenda item 5 as she was a named signatory in support of the Call-in

Councillor K Grant declared a Local Non Pecuniary Interest in agenda item 5 as she was a Trustee of Sentinel Leisure Trust.

Councillor J Murray declared a Local Non Pecuniary Interest in agenda item 5 as she was a Trustee of Sentinel Leisure Trust.

Councillors E Back, S Barker, T Gandy, B Provan and N Webb declared a Local Non Pecuniary Interest in agenda item 5 as they held membership at Sentinel Leisure Trust facilities.

Councillor B Provan declared a Local Non Pecuniary Interest in agenda item 5 as he was on the waiting list for a beach hut.

3 ANNOUNCEMENTS FROM THE CHAIRMAN, RESPONSES OF THE CABINET TO ANY REPORT OF THE COMMITTEE OR REPORTS OF ANY DISCUSSIONS WITH THE CABINET

The Chairman wished all those present a happy and healthy new year.

4 EXEMPT/CONFIDENTIAL ITEMS

RESOLVED

That under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public were excluded from the meeting for agenda item 5 – Consideration of Jubilee Chalets Call-in Report, on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

5 CONSIDERATION OF JUBILEE CHALETS CALL-IN REPORT

The Chairman announced that it was considered that the public interest in not disclosing the exempt information outweighed the public interest in disclosing the information because of details of construction costs and likely rental levels, which beach hut owners were yet to be consulted on.

The Chairman advised that a decision on the Jubilee Beach Huts report was taken by the Cabinet on 6 December 2017 in relation to Report REP1729. The decision had been subject to a Call-in, in accordance with the provisions set out in the Constitution, which was signed by Councillors S Barker, M Cherry, A Green, T Gandy and L Gooch.

The Overview & Scrutiny Committee were asked to consider the Call-In request which stated that the Cabinet's Decision of 6 December 2017 in relation to REP1729 was not taken in accordance with the principles of good decision-making and in particular:

1. action taken was not proportionate to the desired outcome,
2. due internal and external consultation was not undertaken and professional advice was not sought from Officers and
3. clarity of the aims and desired outcomes was not sought or achieved.

Specifically, the Overview & Scrutiny Committee were asked to consider the following:

- a) Whether or not the Cabinet's Decision of 6 December 2017 in relation to REP1729 was taken in accordance with the principles of good decision-making.
- b) Whether or not the action taken was proportionate to the desired outcome.
- c) Whether or not due internal and external consultation was undertaken and professional advice sought from Officers.
- d) Whether or not the proposals provided sufficient clarity about their aims and desired outcomes.

During discussions, Members posed their questions and comments to the Cabinet Member for Resources, the Strategic Director, the Head of Operations, the Asset & Investment Manager and the Valuer.

On being put to the vote following the Members debate, it was:

RESOLVED

- a) That the Cabinet's Decision of 6 December 2017 in relation to REP1729 was taken in accordance with the principles of good decision-making with the information that was given at the time.
- b) That the action taken was proportionate to the desired outcome.
- c) That due internal and external consultation was not undertaken and professional advice was not sought from Officers.
- d) That the proposals provided sufficient clarity about their aims and desired outcomes with the information that was given at the time.
- e) That the proposal for the new development and business case be brought to the Overview & Scrutiny Committee prior to being presented to Cabinet for approval.

The meeting was concluded at 7.20pm

Chairman