

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

**CORPORATE LEADERSHIP TEAM'S  
REPORT TO**

**FINANCE, ASSETS AND PERFORMANCE SCRUTINY COMMITTEE**

**09 November 2023**

**Report Title:** Ryecroft Redevelopment – Call In of Cabinet Decision

**Submitted by:** Chief Executive

**Portfolios:** Finance, Town Centres & Growth; One Council, People & Performance

**Ward(s) affected:** Town

**Purpose of the Report**

This report has been drafted to facilitate the Scrutiny Committee's consideration of the Cabinet decision relating to the Ryecroft Redevelopment taken on 17<sup>th</sup> October 2023.

**Recommendation**

That Committee consider the Call In of the Ryecroft Redevelopment decision and determine:

1. Whether the original Cabinet decision stands;

Or

2. Whether to make a recommendation(s) which change the substantive decision and refer the matter back to Cabinet for consideration;

Or

3. Whether to offer advice or make recommendations which do not change the substantive decision;

**Reasons**

To ensure that this matter is addressed in accordance with the Council's constitution.

1. **Background**

- 3.1 At its meeting on 17<sup>th</sup> October 2023 Cabinet considered a report regarding the Ryecroft Redevelopment prepared by the Deputy Chief Executive. A copy of the report and the two confidential appendix are appended to this report, with the two confidential appendix remaining confidential. The decision taken by Cabinet was as per the recommendations in the report.
- 3.2 Subsequent to the Cabinet decision a Call In notice was submitted in line with the Council's constitution. This Call In notice is appended to this report (Appendix 1).
- 3.3 Calling in an executive decision has the effect of suspending action to give effect to the Cabinet decision until the relevant scrutiny committee has had an opportunity to consider the call in. The actions open to the scrutiny committee are set out in section 16.5 of the Scrutiny Procedure Rules in the Council's constitution and are summarised below:
- Decide that the original Cabinet decision stands;
  - Make a recommendation(s) which change the substantive decision which will be referred back to Cabinet for consideration;
  - Offer advice or make recommendations which do not change the substantive decision;

#### 4. **Issues**

- 4.1 The process to be followed when considering a call in of a Cabinet decision is set out in the Council's constitution but is subject to the Chair's discretion. In summary, the process is as follows;
- a. The Lead Call In Member will address the meeting outlining the reasons for the call in and the desired outcomes. The Call In Members as a group will be allocated 30 minutes speaking time in total;
  - b. Visiting Members, who have given notice of a wish to address the Committee will collectively be allocated 15 minutes to speak (maximum of 5 minutes each);
  - c. Cabinet Member(s) will respond to the Call In and may call witnesses. A maximum of 30 minutes is allocated to the Cabinet Member and witnesses in total.
  - d. The Call In Members may ask questions of the Cabinet Members, with a maximum of 15 minutes allocated to this part of the meeting;
  - e. The Committee may ask questions of the Cabinet Member(s) and Call In Members and debate what is heard – maximum of 30 minutes is allocated;
  - f. Concluding remarks from the Lead Call In Member – 15 minutes
  - g. Concluding remarks from the Cabinet Member(s) – 15 minutes
  - h. Committee discuss what it has heard and reach a conclusion – 15 minutes;

## 5. **Recommendation**

That Committee consider the Call In of the Ryecroft Redevelopment decision and determine

- Whether the original Cabinet decision stands;

Or

- Whether to make a recommendation(s) which change the substantive decision and refer the matter back to Cabinet for consideration;

Or

- Whether to offer advice or make recommendations which do not change the substantive decision;

## 6. **Reasons**

6.1 To ensure that this matter is addressed in accordance with the Council's constitution.

## 7. **Options Considered**

7.1 No options are available which are consistent with the Council's constitution.

## 8. **Legal and Statutory Implications**

6.1 The Monitoring Officer has advised that the decision subject of the Call In is within the Council's Budget and Policy Framework. The proposals once complete will be presented to Full Council in accordance with Financial Regulations as part of the budget setting process. Should Members wish any further advice in this regard the Section 151 Officer will be present at the Call In meeting to assist Members in this regard.

## 9. **Equality Impact Assessment**

9.1 None directly arising from this report.

## 10. **Financial and Resource Implications**

10.1 The Council's Budget and Policy Framework requires key decisions to be taken via a process as set out in the Financial Procedure Rules. This process sets capital spend approval limits for Cabinet at £250k to £2m and Full Council at £2m and above.

10.2 The Ryecroft Development is currently in the option appraisal phase which involves Officers of the Council working with Developers, Architects and Legal Advisors to draw up and evaluate possible scheme which may be financially viable and deliverable within the Future High Street and Town Deal Regeneration guidelines.

- 10.3 A number of reports have previously been taken to Cabinet seeking approval to spend Future High Street and Town Deal Funding in order to engage specialist to draw up workable plans. These works ensure that the most viable schemes can be developed both from a financial aspect, a regeneration aspect, and a sustainable aspect. The most recent example of a revised scheme as a result of these appraisals has been around the option to retain the existing structure of York Place, building around it rather than demolishing it and building from scratch. This would enable the Council to deliver the project in a more sustainable way whilst being more cost effective.
- 10.4 The report taken to Cabinet on the 6<sup>th</sup> June gave authority to commence the procurement of initial design and costing works through a design and build contractor for the development of a new hotel on the Ryecroft site and commence the selection of a hotel brand to be associated with the development. The costs associated with these works are around £50k and will be financed through the Councils Project Feasibility Budget within the Council Capital Programme.
- 10.5 Once all the option appraisal work on all of the regeneration projects has been completed, Full Council will be asked to approve the necessary funding, either as part of the budget process or as a separate report, depending on timing.
- 10.6 It should be noted that the Council is the Accountable Body for the Future High Street Funding and the Town Deals Funding, therefore as always it is the Councils priority and duty to ensure value for money is achieved, governance arrangements are met and the regeneration schemes are suitable for the Town Centre.

## 11. Major Risks & Mitigation

- 11.1 There are no risks directly arising from this report.

## 12. UN Sustainable Development Goals (UNSDG)

- 10.1 The Ryecroft Redevelopment supports UNSG and Climate Change objectives in a number of ways. Principally, through partnership working and supporting sustainable cities and communities via the correct use of public monies. The following UNSGs are supported.



## 13. Key Decision Information

- 11.1 This report deals with the Call In to scrutiny of a Key Decision taken by Cabinet.

## 14. Earlier Cabinet/Committee Resolutions

14.1 Cabinet decision 17<sup>th</sup> October 2023.

15. **List of Appendices**

15.1 Appendix 1 – Call In Notice

13.2 Appendix 2 – Ryecroft Redevelopment; Cabinet decision report, including two confidential appendix.

16. **Background Papers**

16.1 n/a