

CALL-IN MECHANISM

Call-in

(a) When a decision is made by the executive, an individual member of the executive or a committee of the executive or an area committee or under joint arrangements, the decision shall be published, including where possible by electronic means, and shall be available at the main offices of the Council normally within two days of being made. All members will be sent copies of the records of all such decisions within the same timescale, by the person responsible for publishing the decision.

(b) That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of five clear working days after the publication of the decision, unless a select committee objects to it and calls it in.

(c) During that period, the proper officer shall call-in a decision for scrutiny by the committee if so requested by the chairman or any three non-executive members and shall then notify the decision-taker of the call-in. He/she shall call a meeting of the committee on such date as he/she may determine, where possible after consultation with the chairman of the committee, and in any case within fifteen working days of the publication of the decision.

(d) If, having considered the decision, the select committee is still concerned about it, then it may refer it back to the decision-making person or body for reconsideration, setting out in writing the nature of its concerns or refer the matter to full Council. If referred to the decision maker they shall then reconsider, amending the decision or not, before adopting a final decision.

(e) If following an objection to the decision, the select committee does not meet in the period set out above, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the select meeting, or the expiry of fifteen working days, from the publication of the decision, whichever is the earlier.

(f) If the matter was referred to full Council and the Council does not object to a decision which has been made, then no further action is necessary, and the decision will be effective in accordance with the provision below. However, if the Council does object, the Council will refer any decision to which it objects back to the decision-making person or body, together with the Council's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the executive as a whole or a committee of it, a meeting will be convened to reconsider within ten clear working days of the Council request. Where the decision was made by an individual, the individual will reconsider within ten clear working days of the Council request.

(g) If the Council does not meet, or if it does but does not refer the decision back to the decision-making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.

EXCEPTIONS

(h) In order to ensure that call-in is not abused, nor causes unreasonable delay, certain limitations are to be placed on its use. These are:

- i) three members of the council are needed for a decision to be called in;

CALL-IN AND URGENCY

(i) The call-in procedure set out above shall not apply where the decision being taken by the executive is urgent. A decision will be urgent if any delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The record of the decision, and notice by which it is made public shall state whether in the opinion of the decision-making person or body, the decision is an urgent one, and therefore not subject to call-in. The Head of Paid Service or his/her nominee must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

(j) The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary.

CALL IN REQUEST

1. SUBJECT: LETTING OF THE FORMER ABERGAVENNY LIBRARY

2. DATE OF CABINET MEETING: 21st of May 2025

3. CABINET DECISION:

Agenda Item - RESOLVED That Cabinet: agrees the following: (i) To award the lease tender to Monmouthshire Muslim Community Association. (ii) To delegate authority to the Chief Officer for Resources to negotiate the lease in accordance with the tender award

4. REASON(S) FOR CALL- IN:

CALL-IN REQUEST: Decision by Cabinet on Lease of The Carnegie Library, Abergavenny

Subject: Cabinet decision to grant a 30-year lease of the Carnegie Library, Abergavenny to the Monmouthshire Muslim Community Association (MMCA)

Grounds for Call-In:

1. Lack of Proper Scrutiny/Due Process and Community Consultation:

- This decision was made without being presented to the appropriate Scrutiny Committee(s) prior to Cabinet approval. Given the sensitivity, scale, and length of the lease, this represents a significant failure of democratic oversight.
- Public interest decisions of this magnitude should go through full scrutiny to ensure community consultation and transparency.
- Democratic community engagement is necessary in view of the lack of public scrutiny due to no planning approval being needed so that residents/businesses/faiths and the general public do not have the usual opportunity to comment on issues such as traffic congestion, parking, noise and restrictions on hours of operation.
- The Council and Forward Plan was amended on the 21st of October 2024 on the Future of the Abergavenny Library for a report to Cabinet on the 6th of November 2024, It was not on the Place Committee agenda of the 21st of

October 2024 and the next meeting was on the 7th of November 2024 after the Cabinet report of the 6th of November 2024.

- The Cabinet report of the 6th of November 2024 details the positive Impact which was not reflected in the invitation to tender with the proposal to offer the site for community or commercial use to enhance the availability of opportunities that are open, accessible and of interest to people of all ages and abilities.
- In addition the item has not been kept on the Council and forward planner for the period it should have been and not even included in the Place Committee agenda of the 22nd of May when other Cabinet reports of the 21st of May were included.
- The Invitation to Tender underlined the Planning Status with its current D1 use class (as a library) but did not fully detail commercial options on change of use including retail and wholesale use, despite the covenant on the land allowing for such use.

2. Questionable Timing and Limited Market Exposure:

- The property was marketed for only four weeks in December 2024, during a well-known period of reduced public and business engagement due to the festive season.
- This limited window may have inhibited fair market exposure, potentially impacting the breadth and quality of submissions.

3. Best Value and Financial Sustainability Concerns:

- A lease of 30 years for £500 per month (£6,000 per annum) on a prominent, centrally located historic building raises serious Best Value concerns under the Local Government Act 1999, which places a duty on local authorities to "make arrangements to secure continuous improvement in the way its functions are exercised, having regard to a combination of economy, efficiency and effectiveness."
- Although a tender offered the same rental figure, it is unclear whether this reflects true market value. There has been no independent valuation, and a 30-year commitment without such due diligence is premature.
- Lack of Certainty over the need for a council building over such a long period.

5. DATE RECEIVED: 30/5/25

6. MEMBERS CALLING-IN:

(The Chair of a Scrutiny Committee or any three non-executive members)

Name:

Ward:

Cllr Louise Brown

Shirenewton Ward

Cllr Rachel Buckler

Devauden Ward

Cllr Simon Howarth

Llanelly Hill

The Scrutiny Committee that will hear the call- in: