

SUBJECT: REPORT OF THE PLACE SCRUTINY COMMITTEE: CALL-IN RELATING TO THE LETTING OF THE FORMER ABERGAVENNY LIBRARY

MEETING: Cabinet

DATE: 25th June 2025

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

- 1.1 To provide Cabinet the opportunity to re-consider the decision taken by Cabinet on 21st May 2025 concerning the 'Letting of the Former Abergavenny Library'. This follows the call-in of the decision and the subsequent recommendation of the Place Scrutiny Committee on 11th June 2025 to refer the matter to the Cabinet for re-consideration.

2. RECOMMENDATIONS:

- 2.1 That Cabinet considers the discussion held at the Place Scrutiny Committee on 11th June 2025 and makes a decision whether to:
- i) Accept the Cabinet Decision made on 21st May 2025; or
 - ii) Reconsider the decision.

3. KEY ISSUES:

- 3.1 The Council's Constitution gives scrutiny committees the right to call-in, for reconsideration, decisions made but not yet implemented by the Cabinet. This is one of the ways in which the executive can be held to account.
- 3.2 The Constitution requires that a Scrutiny meeting is held within 15 working days of the receipt of a call-in of an Executive decision to consider the call-in request. Following debate of the issue, the Committee can either:
- Accept the Cabinet decision; or
 - Refer the matter back to the Cabinet with reasons; or
 - Refer the matter to full Council for consideration with reasons.
- 3.3 On 21st May 2025, Cabinet considered a report relating to the letting of the former Abergavenny Library. The decision resolved by Cabinet was to accept the recommendations as set out below:

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.

3.4 The decision was subsequently called in for the following reasons:

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 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.

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.

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.

- 3.5 The Special Place Scrutiny Committee held on 11th June 2025 considered the call-in of this decision and the Members who called in the decision outlined their reasons for doing so. The Cabinet Member for Resources attended and provided detailed responses.
- 3.6 The Cabinet decision report provides full context of the key issues relating to the decision taken on 21st May 2025, outlined in section 3 together with an options appraisal provided under section 5, accessed via [Agenda for Cabinet on Wednesday, 21st May, 2025, 4.30 pm - Modern Council](#) .
- 3.7 Appendix 1 provides the formal minute of the call-in and a fuller account of the debate held in the public domain. The live stream recording of the meeting is also available via [Agenda for Place Scrutiny Committee on Wednesday, 11th June, 2025, 5.30 pm - Modern Council](#) .
- 3.8 The debate related to the specific matters raised in the calling-in of the decision, the discussion focussing on the detailed points outlined in the Call-in Request (as above), which were responded to via the Cabinet Member in the draft minutes (attached as Appendix 1).
- 3.9 Following the debate the committee voted to refer the matter back to the Cabinet Member for reconsideration, for the following reasons:

The Cabinet Member is requested to carry out a re-tender process with the following stipulations:

- **Independent Valuation:** An independent valuation of rental income should be carried out.
- **Tender Time Frame:** A reasonable time frame should be agreed upon for the tender process.
- **Building Survey:** An independent building survey should be undertaken to ascertain the condition of the building and the costs of necessary works.
- **Maintenance Compliance:** Ensure the building is maintained to comply with its importance, allowing potential bidders to have full possession of the facts so they can bid accordingly.
- **Community Consultation:** Community consultation is essential, involving local residents and businesses in decisions about the Carnegie Library building.
- **Historic Importance:** Proper consideration is given to the building's historic and monumental importance to Abergavenny and its people.
- **Reconsider Selling:** The potential sale of the building should be reconsidered and included in the consultation process with the people of Abergavenny.

The votes were recorded as follows:

- Four Members voted to accept the Cabinet Member's decision.
- Four Members voted to refer the matter to the Cabinet Member with reasons.
- One Member voted to refer the matter to Full Council.

The Chair exercised the right to a casting vote in referring the matter back to the Cabinet Member with the reasons outlined above.

4.0 EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):

4.1 There are no direct considerations from this report.

5. EVALUATION CRITERIA

5.1 Not applicable.

6. REASONS:

6.1 To refer the Cabinet's decision taken on 21st May 2025 on the Letting of the Former Abergavenny Library to Cabinet, following scrutiny undertaken by the Place Scrutiny Committee on 11th June 2025.

7. RESOURCE IMPLICATIONS:

7.1 There are no direct resource implications arising from this report.

8. CONSULTEES:

Chief Officer People, Performance and Partnerships
Chief Executive
Deputy Chief Executive
Monitoring Officer

9. BACKGROUND PAPERS:

Appendix 1: Draft Minutes of the Place Scrutiny Committee held on 11th June 2025 on the Call-in concerning the Letting of the Former Abergavenny Library.

10. AUTHOR:

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