

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Service Delivery Overview & Scrutiny Panel

22 July 2020

TITLE:	Call-in of Cabinet Delegated Decision - Leek Market Hall Update Report
PORTFOLIO HOLDER:	Councillor Sybil Ralphs - Council Leader SMDC
CONTACT OFFICER:	Sally Hampton - Member and Community Services Officer
WARDS INVOLVED:	Leek East;

Appendices Attached –

Appendix A - Delegated Decision Report – 6 May 2020

Appendix B – Call-In Procedure

1. Reason for the Report

- 1.1 To consider the call-in request of the Cabinet Delegated Decision – Leek Market Hall Update.

2. Recommendation

- 2.1 That the call-in request be considered in accordance with the Council's Call-In Procedure (Appendix B)

3. Executive Summary

- 3.1 The delegated decision report sought approval to undertake a feasibility study and business case to explore options for investment at Leek Market Hall, formally referred to as the Trestle Market, and provided details of the next steps to deliver improvements.

Comments raised by the Labour Group with regards to the details of the report when issued for consultation had been noted.

3.2 The decision made by the Portfolio Holder was:-

That progress on the project to date be noted and that officers commission the preparation of a fully costed feasibility study and business case for consideration.

- 3.3 Following this decision, call-in requests have been received from the following Councillors: M. Gledhill, C. Atkins, D. Price, B. Cawley, L. Swindlehurst and L. Page.
- 3.4 The councillors gave the following reasons for the call-in which includes the principles of decision making which they believe have not been adhered to:

We do not object in principle to the feasibility study, however we believe that the present situation caused by Covid19 makes it unwise to begin this work now and that it would be prudent to put the matter on hold until national and local conditions have returned to something approaching normal. In terms of the principles of decision making, our reasoning is as follows:

Taking due regard of all relevant considerations

The retail market nationally and locally is currently unpredictable owing to Covid19. This will make it extremely difficult to collect accurate data in the feasibility study. Also historical data will not be reliable, as past economic circumstances will have little relevance in these changing times. The decision is not taking into account the economic effect on council finances of Covid19 as detailed in recent reports by The Acting Chief Executive, which show that the council will have a serious funding gap, leading to a review of the Medium Term Financial Plan later this year. It is acknowledged in his reports that some projects may well have to be delayed. This is a very significant factor in the request for call in.

Councillor Cawley further states that the Covid 19 pandemic utterly changes the original reasoning behind the decision to transform the Trestle Market. I am aware from documents seen of the financial difficulties SMDC will be in when the pandemic abates. A clearer picture and consequently an overarching strategy collectively agreed on the future of market towns will be needed. Presently we do not have that picture as the pandemic still poses a threat to the town of Leek. Such uncertainty nullifies this project for the moment.

A presumption in favour of openness

A key aspect of the feasibility study is the commitment to a full consultation. This cannot be guaranteed as long as there are restrictions on social contacts, such as those prescribed by the government in present national circumstances. Also the matter has not been fully shared with the appropriate Scrutiny Panel or even in a conventional cabinet meeting, so debate with members has not happened, as it would have done in normal council procedures. As the matter is contentious locally, it is felt that SMDC members, members of the public, stakeholders and Leek Town Council should be given more opportunity to be involved in debate.

Councillor Cawley further states the debate on the Trestle Market in the Council Chamber earlier this year was a full one which was well attended and many present continually emphasised the importance of wide consultation with as wide as possible. I do not believe that this principle has been adhered to be in such important a question. And the present Covid pandemic makes this impossible to achieve especially in an issue in which transparency of decision making is so important.

Clarity of aims and desired outcomes

Since the initial general reference to a project to refurbish the premises in 2015-6, there seems to be no record in minutes of the changes currently envisaged until late 2019 when the matter was raised in a verbal answer to a question. No reports have been shared with members until 14 May 2020. Thus we have to question whether there is clarity in the aim as things currently stand.

Councillor Cawley further states that as the debate at the January Council meeting unfolded around the Trestle Market it became clear to me that the process by which decision was reached was very unclear. I am sceptical whether the decision when originally made was rigorously scrutinised from the onset and there the aims remain opaque to me.

3.5 The Panel is asked to consider the call-in request, in accordance with the Council's call-in procedure (Appendix B).

Neil Rodgers
Executive Director (Place)

Web Links and

Background Papers

Delegated Decision Report – attached

Contact details

Sally Hampton
Member and Community Services Officer
sally.hampton@staffs Moorlands.gov.uk