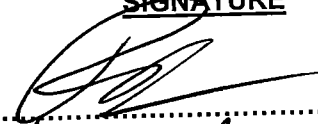



To: The Chief Executive

1. NOTICE OF CALL-IN OF EXECUTIVE DECISION

In accordance with Overview and Scrutiny Procedure Rule 22, we, the undersigned, hereby give notice that we wish to call-in the Executive decision detailed in section 2 below:-

<u>NAME (PLEASE PRINT)</u>	<u>SIGNATURE</u>
Mr Brian Crato	
Mr Phillip O'Dell	Mr O'Dell
Mr Paul Scott	Paul Scott
Mr Bill Stephenson	Bill Stephenson
Mr Manoj Abrahamayah	Manoj Abrahamayah
Mr THAYA IDIKKAL	

2. DETAILS OF EXECUTIVE DECISION

The details of the Executive decision are as follows:-

Decision: PHD 067/08 TENNIS COURTS WEST HARLOW

Made by: MAJOR CONTRACTS AND PROPERTY P.H.  
(Cabinet/relevant Portfolio Holder)

Published On: 23 MARCH 2009.  
(Date)

3. GROUND FOR CALL-IN

Please specify below the grounds for the call-in, in accordance with Overview and Scrutiny Procedure Rule 22.5 (the grounds on which an Executive decision may be called in are set out overleaf). Please note that the considerations of the Call-in Sub-Committee will focus on the grounds stated, and the Sub-Committee will seek evidence to support them. Please therefore also set out below details of the evidence to support the grounds for call-in, continuing on a separate sheet if necessary.

INADEQUATE CONSULTATION WITH STAKE HOLDERS  
PRIOR TO DECISION.

THE ABSENCE OF ~~THE~~ ADEQUATE EVIDENCE  
ON WHICH TO BASE THIS DECISION

SEE ATTACHED STATEMENT

Call-in on West Harrow Recreation Ground Tennis CourtsPortfolio Holder Decision Ref: PHD 067/08Grounds for Call-in

It is claimed that the tennis courts in West Harrow Recreation Ground are in a poor state of repair. The proposal is to lease these out to a tenant for 35 years. It is claimed that this tenant will provide a tennis academy and four of the seven courts will be covered with a translucent dome in the winter to allow all round the year use. The tenant will also erect a building on the site to house a gymnasium and a base for a local boxing club.

There are several reasons for calling this proposal in. It may in fact be a very good proposal but there has been almost no consultation with local residents or ward councillors in the first place and even if there had been there are major pieces of information which are not supplied with the supporting papers.

We would emphasize that we are not necessarily against the actual proposal itself or a modification of it but we are very much against the failure of the Council to consult anyone and take their views into account.

Detailed grounds for the call-in;

(a) Inadequate consultation with stakeholders prior to the decision.

The first that residents knew about this proposal was at a 'Week of Action' meeting less than four weeks before the decision was made. Local residents, park users, ward councillors and other stakeholders have not been consulted or informed. Certainly the shadow spokesmen for both sport and parks only knew about this proposal when the Portfolio Holder announced his decision. The supporting papers accompanying the decision do not mention consultation. Again even before the decision was made the Council had advertised in the local Press again without any consultation whatsoever. There are many questions which are left unanswered in the supporting papers which should have been put to consultation. For example,

- (i) Will the public have any rights of access to the new tennis courts? If so how much and at what cost?
- (ii) Are the public happy about a building going up in the middle of their park and a high level translucent dome being put up above some of the tennis courts for some of the year?
- (iii) Was any real attempt made to access funding from other sources such as Sport England, the LTA, lottery funding etc? If so, this is not mentioned in the covering report.
- (iv) The covering report inadequate as it is in not answering any of the questions above has only been made available to the public for five working days as required by the call-in procedure. This simply cannot be adequate consultation.

(b) The absence of ~~in~~adequate evidence on which to base this decision

As indicated above many crucial factors have been omitted by the covering report.

- (i) No indications have been given of what access the general public will have to these facilities as of right. The recreation Ground is after all open to all without having to pay. What access will they have and what right will they have over the next thirty

five years? If the public have to pay to use the tennis courts what protection do they have against unreasonable price rises? No evidence is provided that the public's very rightful interests are being protected.

- (ii) No indication is given why the lease is for thirty five years and under what terms it will be held. Why thirty five why not twenty five. Are there enforcement clauses and break clauses. None of this information is provided in order to ascertain that the public good is being properly protected.
- (iii) Only passing mention is made of payment of rent. Where is the evidence that the Council and the public are getting value for money?
- (iv) No evidence is given that other methods bringing the tennis courts up to standard have been pursued. For example, has Sport England, the LTA or lottery funding been considered? There is no evidence that the Council's External Funding Officer was consulted.