

## London Borough of Enfield

### Overview & Scrutiny Committee

Meeting Date 21 / 24 March 2022

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**Subject:** Call in – Dugdale Centre Refurbishment

**Cabinet Member:** N/A

**Key Decision:** N/A

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### Purpose of Report

1. This report details a call-in submitted in relation to the following decision:

Portfolio (taken on 2 March 2022). This has been “Called In” by 7 members of the Council; Councillors Andrew Thorpe, Edward Smith, Jim Steven, Glynis Vince, Joanne Laban (Lead), Maria Alexandrou and Chris Dey.

Details of this decision were included on Publication of Decision List No.54 /21-22 (Ref. 54 /21-22 – issued on 2 March 2022)

In accordance with the Council’s Constitution, Overview and Scrutiny Committee is asked to consider the decision that has been called-in for review.

### Proposal(s)

2. That Overview and Scrutiny Committee considers the called-in decision and either:
  - (a) Refers the decision back to the decision-making person or body for reconsideration setting out in writing the nature of its concerns. The decision-making person or body then has 14 working days in which to reconsider the decision; or
  - (b) Refer the matter to full Council; or
  - (c) Confirm the original decision.

Once the Committee has considered the called-in decision and makes one of the recommendations listed at (a), (b) or (c) above, the call-in process is completed. A decision cannot be called in more than once.

If a decision is referred back to the decision-making person or body; the implementation of that decision shall be suspended until such time as the decision-making person or body reconsiders and either amends or confirms the decision, but the outcome on the decision should be reached within 14 working days of the reference back. The Committee will subsequently be informed of the outcome of any such decision

## **Relevance to the Council's Plan**

3. The council's values are upheld through open and transparent decision making and holding decision makers to account.

## **Background**

4. The request received on 9 March 2022 to "call-in" the Portfolio decision of 2 March 2022 was submitted under rule 18 of the Scrutiny Procedure Rules. It was considered by the Monitoring Officer.

The Call-in request fulfilled the required criteria and the decision is referred to the Overview & Scrutiny Committee in order to consider the actions stated under 2 in the report.

Implementation of the Portfolio decision related to this report will be suspended whilst the "Call-in" is considered.

## **Reasons and alternative course of action proposed for the "Call in"**

5. The Call-in request submitted by Councillors Andrew Thorpe, Edward Smith, Jim Steven, Glynis Vince, Joanne Laban, Maria Alexandrou and Chris Dey Members of the Council gives the following reasons for Call-In:

- The report states that the Enfield Museum will be enhanced yet the museum prior to COVID had 2 galleries of exhibition space on the ground floor of the Dugdale Centre and a permanent exhibition on the 1st floor. The design shows a new dedicated area for display of the permanent collection which is significantly less than the space allocated on the 1st floor of the Dugdale Centre and the space it already inhabited on the ground floor. The report fails to say how a smaller area enhances the museum.
- Paragraph 17 states that a procurement process has been undertaken to appoint Willmott Dixon as contractors to deliver building works for floors one and two of Thomas Hardy House. It is proposed that these works be delivered as an extension to this existing contract, with delegated authority to Director of Environment and Operational Services Doug Wilkinson to appoint. However, the report fails to give any information on how just extending the existing contract is beneficial both in terms of cost and quality. It also fails to explain why this work was not included when the contract for the current work was originally procured.
- Deliveries for all events at the Dugdale Centre were previously to the rear of the Theatre. Stock and equipment for the café, theatre, exhibitions, retail, museum, and 2nd floor offices were all delivered to this point and loaded in the service lift to the left of the delivery door. The report and accompanying documents fail to show any adequate provision for deliveries in this design.

- The Dugdale Centre ground floor had a specially designed toilet with a hoist to provide access for people with severe mobility disabilities. It was the only facility of its kind in Enfield Town and provided essential access not only for the Dugdale Centre but elsewhere in Enfield Town. The report and accompanying document give no explanation of the removal of this facility and how that fits with the Equalities Act.
- This new capital development will cost £1.5m on top of the £6m being spent on the 1st and 2<sup>nd</sup> floor meaning this development of Thomas Hardy House will cost £7.5million. The business plan for En\_food highlights the £330,000 loss of income from the removal of the 1st floor and contributes only £121,200 in year 3 based on the analysis undertaken. There is no explanation about where the £191,000 in the balance of the loss will come from.
- The report fails to set out what the financial projections and implications are for the whole scheme. It is not adequate to provide a plan that costs only a fraction of the whole operation.
- As the report points out the En\_Food business was already producing evening dining at the Dugdale Centre which was already achieving customers on a Friday and Saturday night through its Pop-Up World Tapas. This initiative demanded a much-enlarged staff resource to provide the experience that evening customers need to provide a quality experience. The report fails to explain how the 1.3 FTE identified to run this service are going to adequately deliver a service that needs chefs, bar staff, kitchen porters, waiting staff and front of house staff.
- The new main entrance to the venue is situated at a busy part of the thoroughfare, close to the entrance to Lidl and which is already busy with people waiting for buses. There does not seem to be a safety analysis for this decision. It also fails to explain how moving the entrance to this location enhances the centre.
- The Dugdale Centre has had repeated problems with the heating and ventilation with many problems created by failing dampeners and boilers. The new kitchen will put a new pressure on the system and the mezzanine being created and curtains dividing the area will change the airflow around the space. There is no explanation about how this project will deal with that issue, especially as it will be sharing a system with a new service on the 1st and 2nd floor. The report and accompanying documents do not explain whether the ground floor will have its own separate system or be sharing a system as before.
- The business plan for the new En\_Food restaurant points out that much of the storage for the catering was previously on the 1st floor. The storage for the museum exhibitions was also on the 1st floor. A lot of the Dugdale Theatre equipment was stored at Millfield Theatre as the backstage areas of the Dugdale Theatre were insufficient for the variety of movable equipment needed for a versatile facility. The new proposal puts in a second versatile performance event space yet fails to explain or show storage facilities.

## **(2) Outline of proposed alternative action:**

Refer back for the decision to be reviewed

### **Consideration of the “Call in”**

6. Having met the “Call-in” request criteria, the matter is referred to the Overview and Scrutiny Committee in order to determine the “Call-in” and decide which action listed under section 2 that they will take.

The following procedure is to be followed for consideration of the “Call-in”:

- The Chair explains the purpose of the meeting and the decisions which the Committee is able to take.
- The Call-in lead presents their case, outlining the reasons for call in.
- The Cabinet Member/ Decision maker and officers respond to the points made.
- General debate during which Committee members may ask questions of both parties with a view to helping them make up their mind.
- The Call in Lead sums up their case.
- The Chair identifies the key issues arising out of the debate and calls for a vote after which the call in is concluded. If there are equal numbers of votes for and against, the Chair will have a second or casting vote.
- It is open to the Committee to either;
  - take no further action and therefore confirm the original decision
  - to refer the matter back to Cabinet -with issues (to be detailed in the minute) for Cabinet to consider before taking its final decision.
  - to refer the matter to full Council for a wider debate (NB: full Council may decide either to take no further action or to refer the matter back to Cabinet with specific recommendations for them to consider prior to decision taking)

### **Main Considerations for the Council**

7. To comply with the requirements of the Council’s Constitution, scrutiny is essential to good governance, and enables the voice and concerns of residents and communities to be heard and provides positive challenge and accountability.

### **Safeguarding Implications**

8. There are no safeguarding implications.

### **Public Health Implications**

9. There are no public health implications.

### **Equalities Impact of the Proposal**

10. There are no equality implications.

### **Environmental and Climate Change Considerations**

11. There are no environmental and climate change considerations.

### **Risks that may arise if the proposed decision and related work is not taken**

12. There are no key risks associated with this report.

### **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

13. There are no key risks associated with this report.

### **Financial Implications**

14. There are no financial implications

### **Legal Implications**

15. S 21, S 21A-21C Local Government Act 2000, s.19 Police and Justice Act 2006 and regulations made under s.21E Local Government Act 2000 define the functions of the Overview and Scrutiny committee. The functions of the committee include the ability to consider, under the call-in process, decisions of Cabinet, Cabinet Sub-Committees, individual Cabinet Members or of officers under delegated authority.

Part 4, Section 18 of the Council's Constitution sets out the procedure for call-in. Overview and Scrutiny Committee, having considered the decision may: refer it back to the decision-making person or body for reconsideration; refer to full Council or confirm the original decision.

The Constitution also sets out at section 18.2, decisions that are exceptions to the call-in process.

### **Workforce Implications**

16. There are no workforce implications

### **Property Implications**

17. There are no property implications

### **Other Implications**

18. There are no other implications

### **Options Considered**

19. Under the terms of the call-in procedure within the Council's Constitution, Overview & Scrutiny Committee is required to consider any eligible decision called-in for review. The alternative options available to Overview & Scrutiny Committee under the Council's Constitution, when considering any call-in, have been detailed in section 2 above

## **Conclusions**

20. The Committee following debate at the meeting will resolve to take one of the actions listed under section 2 and the item will then be concluded.

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## **Appendices**

Portfolio Report including appendices  
Response to Call in reasons

## **Background Papers**

The following documents have been relied on in the preparation of this report:  
None