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Date: 28 July 2021

**** CALL IN OF EXECUTIVE
MEMBER DECISION**

Dear Sir or Madam

**Partnerships, Corporate Organisation and Overview Management Policy & Scrutiny
Panel
Thursday 5 August 2021, 6pm, New Council Chamber, Town Hall**

A meeting of the Panel will take place as indicated above.

Please Note that any member of the press and public may listen in to proceedings at this meeting via the weblink below –

<https://youtu.be/yXlz8ad8Hh4>

The agenda is set out as follows.

In accordance with the provision of Policy and Scrutiny Panel Procedure Rules (SSO14), Councillors Mark Crosby and Peter Crew have served notice to call in the decision of the Executive Member for Assets and Capital Delivery regarding Decision Number 21/22 DP 130 Appropriation of open space to planning purposes: land south of The Uplands, Nailsea to the Partnerships, Corporate Organisation and Overview Management Policy and Scrutiny Panel.

The reasons for the call in have been given as –

“ I believe this action is merited on the grounds of whether sufficient and legitimately expected scrutiny has been given to the depth of public concern prompted by the prospect of this site being appropriated for proposed residential development.”

Clearly, under the 1972 Act; a Principal Council may appropriate land that is no longer required for the purpose for which it is held.

However, in doing so the Council must provide compelling evidence demonstrating that that it has properly addressed the issue of whether the site is no longer needed for its current purpose which, in this case is public-open-space.

And ...

that the (Council's) claimed 'benefits' for its appropriation genuinely outweigh its current benefit to the community.

I believe that this particular issue requires further scrutiny by the Panel.”

The Panel after consideration of the Executive Member's decision may give its opinion to the Executive Member on the decision, and in doing so may ask the Executive Member to reconsider the decision.

Yours faithfully

Assistant Director Legal & Governance and Monitoring Officer

To: Members of the Partnerships, Corporate Organisation and Overview Management Policy and Scrutiny Panel

Councillors:

Geoffrey Richardson (Chairman), Stuart McQuillan (Vice-Chairman), Gill Bute, John Cato, James Clayton, Peter Crew, Mark Crosby, Huw James, John Ley-Morgan, Robert Payne, Terry Porter, vacancy.

This document and associated papers can be made available in a different format on request.

Agenda

1. **Public Discussion (Standing Order SS09) (Agenda item 1)**

To receive and hear any person who wishes to address the Panel. The Chairman will select the order of the matters to be heard.

Members of the Panel may ask questions of the member of the public and a dialogue between the parties can be undertaken.

Requests to speak must be submitted in writing to the Head of Legal and Democratic Services, or the officer mentioned at the top of this agenda letter, by noon on the day before the meeting and request must detail the subject matter of the address.

2. **Apologies for Absence and Notification of Substitutes (Agenda item 2)**

3. **Declaration of Disclosable Pecuniary Interest (Standing Order 37) (Agenda item 3)**

A Member must declare any disclosable pecuniary interest where it relates to any matter being considered at the meeting. A declaration of a disclosable pecuniary interest should indicate the interest and the agenda item to which it relates. A Member is not permitted to participate in this agenda item by law and should immediately leave the meeting before the start of any debate.

If the Member leaves the Chamber in respect of a declaration, he or she should ensure that the Chairman is aware of this before he or she leaves to enable their exit from the meeting to be recorded in the minutes in accordance with Standing Order 37.

4. **Call in of Executive Member Decision - Appropriation of open space to planning purposes: land south of The Uplands, Nailsea (Agenda item 4) (Pages 5 - 34)**

A copy of the Executive Member decision no. 21/22 DP 130 is attached.

Exempt Items

Should the Panel wish to consider a matter as an Exempt Item, the Panel will be invited to pass the following resolution –

“(1) That the press, public, and officers not required by the Members, the Chief Executive or the Director, to remain during the exempt session, be excluded from the meeting during consideration of the following item of business on the ground that its consideration will involve the disclosure of exempt information as defined in Section 100I of the Local Government Act 1972.”

Also, if appropriate, the following resolution should be passed –

“(2) That members of the Council who are not members of this Panel be invited to remain.”

Mobile phones, PDAs and other mobile devices

All persons attending the meeting are requested to ensure that these devices are switched to silent mode. The chairman may approve an exception to this request in special circumstances.

Filming and Recording of Meetings

The proceedings of this meeting may be recorded for broadcasting purposes.

Anyone wishing to film part, or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman.

Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting.

Emergency Evacuation Procedure

ON HEARING THE ALARM – (a continuous two-tone siren)

Leave the room by the nearest exit door. Ensure that windows are closed.

Last person out to close the door.

Do Not stop to collect personal belongings.

Do Not use the lifts.

Follow the green and white exit signs and make your way to the assembly point.

Do Not re-enter the building until authorised to do so by the Fire Authority.

Go to Assembly Point C – Outside the offices formerly occupied by Stephen & Co