



AGENDA ITEM: 8

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
3 April 2014**

Report of: Borough Solicitor

**Relevant Managing Director: Managing Director (People and Places /
Managing Director (Transformation)**

**Contact for further information: Mrs S Griffiths (Extn. 5097)
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**SUBJECT: CALLED IN ITEM – PROVISION FOR TRAVELLER SITES
DEVELOPMENT PLAN DOCUMENT (DPD): OPTIONS AND
PREFERRED OPTIONS**

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To advise the Executive Overview and Scrutiny Committee of the reason for the call in of the decision on the above item set out in Minute No. 96 of the Cabinet Meeting held on 18 March 2014.

2.0 RECOMMENDATIONS

- 2.1 That the Committee determines whether it wishes to ask for a different decision.
- 2.2 That if the Committee does wish to ask for a different decision, the Committee indicates which of the options set out a paragraph 5.1 it wishes to pursue.

3.0 DETAILS RELATING TO THE CALL IN

- 3.1 The report attached as an Appendix to this report was considered at a meeting of Cabinet on 18 March 2014.
- 3.2 The decision of Cabinet reads as follows:

“96. PROVISION FOR TRAVELLER SITES DEVELOPMENT PLAN DOCUMENT (DPD): OPTIONS AND PREFERRED OPTIONS

Councillor Forshaw introduced the report of the Assistant Director Planning which recommended the Provision for Traveller Sites Development Plan Document: Options and Preferred Options document for public consultation in April-May 2014.

A motion which was seconded was circulated by Councillor Forshaw.

In reaching the decision below, Cabinet considered the report before it and the motion from Councillor Forshaw.

RESOLVED That the Assistant Director Planning explore the possibility of identifying a single deliverable site in a suitable and sustainable location along the M58 corridor to meet the Borough’s identified needs for Travelling communities (excluding travelling showpeople) to 2028 in a way which minimises the impact on the Borough’s Green Belt and the non-travelling community.”

3.3 The following reason for call in was given in the requisition:

“That the Public should be given the opportunity to express their views/opinions on the location of Travellers sites.”

3.4 The requisition also provided an different decision which was:

“A. That Cabinet have regard to the three documents provided in Appendices B-D in their decision on the recommendation at B below which will be publicly available for comment as part of the consultation on the Traveller Sites DPD: Options and Preferred Options.

B. That the provision for Traveller Sites DPD: Options and Preferred Options (Appendix A to the report) be approved for a six week Public Consultation Exercise, subject to any minor amendments made by the Assistant Director Planning “.

3.5 The following Members of the Executive Overview & Scrutiny Committee signed the requisition for call-in in accordance with the provisions of Overview & Scrutiny Committee Procedure Rule 15:

Councillor Pendleton
Councillor Gibson
Councillor Furey
Councillor Moran
Councillor Savage

COMMENTS OF THE ASSISTANT DIRECTOR PLANNING

4.1 I have no comments on this called-in item.

5.0 CONCLUSION

5.1 Following consideration of the decision of Cabinet, the requisition for call in the Executive Overview and Scrutiny Committee can decide if it wishes to ask for a different decision. If the Committee does not wish to ask for a different decision then the decision of Cabinet takes immediate effect. If the Committee does wish to ask for a different decision, it may:

- a. refer the decision back to Cabinet (as the decision making body) for reconsideration, setting out the different decision: or
- b. refer the matter to Council. If the matter is referred to Council and Council does not object, then the decision of Cabinet will take effect immediately from that Council meeting date. If the Council does object, then the decision and the objection will be referred back to Cabinet (as the decision making body) for reconsideration.

5.2 The Secretary of State in his Guidance recommends that Overview & Scrutiny Committees should only use the power to refer matters to the full Council if they consider that the decision is contrary to the policy framework or contrary to or not wholly in accordance with the budget.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

1. Report of the Assistant Director Planning
2. Motion from Councillor Forshaw