



APPENDIX 1

EXECUTIVE OVERVIEW & SCRUTINY COMMITTEE:

DATE: 28 March 2019

Report of: Borough Solicitor

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**SUBJECT: CALL IN ITEM – LOCAL PLAN REVIEW PREFERRED OPTIONS –
INITIAL FEEDBACK ON PUBLIC CONSULTATION**

Borough wide interest

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.101 of the Cabinet Meeting held on 12 March 2019.

2.0 RECOMMENDATION TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

- 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 at paragraph 5.1 below, it wishes to pursue.
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3.0 BACKGROUND

- 3.1 At its meeting on 12 March 2019 Cabinet received a report which advised on the initial feedback received through the Local Plan Review Preferred Options Consultation.
- 3.2 The decision of Cabinet reads as follows:-

101 - LOCAL PLAN

The Leader introduced the report of the Director of Development and Regeneration entitled 'Local Plan Review Preferred Options – Initial Feedback on Public Consultation' which advised on the initial feedback received through the Local Plan Review Preferred Options Consultation. In relation to these comments he outlined the options available in order to address the Council's obligations under the Duty to

Co-operate in respect of any unmet housing need arising from Sefton Metropolitan Borough Council and the implications that the proposed change would have on the next version of the emerging local plan.

A motion from the Leader was circulated at the meeting.

In reaching the decision below, Cabinet considered motion from the Leader and the details as set out in the report before it and accepted the reasons contained therein.

RESOLVED That the Local Delivery Scheme be amended to allow time for the reconsideration of the proposed Local Plan timescale and for the preparation of and consultation on a new Local Plan Preferred Options.

3.3 A copy of the report of the Director of Development and Regeneration as submitted to Cabinet on 12 March 2019 is attached as Appendix 1.

4.0 DETAILS RELATING TO THE CALL IN

4.1 The following reason for call in was given in the requisition:-

"The motion introduced by the Leader of the Council and approved by Cabinet did not address the widespread public concern as manifest in the huge number of negative responses via the public consultation nor did it give due consideration to the negative financial impact on the Council in respect of the costs already incurred and the additional costs of preparing new Local Plan Preferred Options."

4.2 The requisition also provided a different decision which was:

"Given the widespread opposition to a 30 year Local Plan, the absence of safeguarded sites and the release of greenbelt, it is considered appropriate to give a commitment to continue the existing Local Plan 2012/27 subject to the completion of the planned 5 yearly review".

4.3 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 D Westley
Councillor I Ashcroft
Councillor E Pope
Councillor Mrs D Stephenson
Councillor S Currie

5.0 CONCLUSION

5.1 Following consideration of the decision of Cabinet, the requisition for call in and the comments of the Director of Development and Regeneration, 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.

Appendices

1. Report of the Director of Development and Regeneration “Local Plan Review Preferred Options – Initial Feedback on Public Consultation” considered by Cabinet on 12 March 2019.