

**Corporate and Scrutiny Management Policy and
Scrutiny Committee (Calling-In)**

6 November 2017

Report of the Assistant Director – Legal and Governance

Called-in Item: Disposal of Willow House, Walmgate

Summary

1. This report sets out the reasons for the post decision call-in of the decisions made by the Executive on 19 October 2017 in respect of the Disposal of Willow House, Walmgate. The Executive approved the sale of Willow House to Empiric PLC. This cover report sets out the powers and role of the Corporate & Scrutiny Management Policy & Scrutiny Committee in relation to dealing with the call-in.

Background

2. An extract from the Decision Sheet issued after the Executive meeting is attached as Annex A to this report. This sets out the decision taken by the Executive on the called-in item. The original report to the Executive on 19 October 2017 on the called-in item is attached as Annex B to this report.
3. The Executive's decision has been called in post decision by Councillors Craghill, Flinders, and Looker for review by the Corporate & Scrutiny Management Policy & Scrutiny Committee (Calling-In), in accordance with the constitutional requirements for call-in. The following are the reasons given for the call-in:
 - We are calling on the Council to delay the sale of the land for 2 months so that further negotiation can take place regarding the area of currently unfenced open space between Willow House and Walmgate and all the options for protecting the land can be explored. This might include a covenant and/or other options.
 - Irrespective of its legal status this area of land has operated effectively as public green open space for a long time now.
 - It has functioned as part of the housing estate in an urban area which has very limited provision of green open space, and which

is part of an area officially recognised to have a deficit in open space.

- This is also an area of some deprivation, where supporting and empowering the local community should be a council priority; removing this open space is contrary to this objective.
- There is widespread concern about the loss of this green open space from local residents and the newly formed Walmgate Community Association – as evidence by a recent protest by 30 local residents at very short notice.
- Additionally, there is widespread concern about development on this area which forms the setting of the scheduled ancient monument of the city walls and recently refurbished historic Walmgate Bar.

Consultation

4. In accordance with the requirements of the Constitution, the calling-in Members have been invited to attend and/or speak at the Call-In meeting, as appropriate.

Options

5. The following options are available to CSMC (Calling-In) Members in relation to dealing with this post decision call-in, in accordance with the constitutional and legal requirements under the Local Government Act 2000:
 - a) To decide that there are no grounds to make specific recommendations to the Executive in respect of the report. If this option is chosen, the original decision taken on the item by the Executive on 19 October 2017 will be confirmed and will take effect from the date of the CSMC (Calling-In) meeting; or
 - b) To make specific recommendations to the Executive on the report, in light of the reasons given for the post decision call-in. If this option is chosen, the matter will be reconsidered by the Executive at a meeting of Executive (Calling-In) to be held on 23 November 2017.

Analysis

6. Members need to consider the reasons for call-in and the report to the Executive and form a view on whether there is a basis to make specific recommendations to the Executive in respect of the report.

Council Plan

7. There are no direct implications for this call-in in relation to the delivery of the Council Plan and its priorities for 2015-19.

Implications

8. There are no known Financial, HR, Legal, Property, Equalities, or Crime and Disorder implications in relation to the following in terms of dealing with the specific matter before Members; namely, to determine and handle the call-in.

Risk Management

9. There are no risk management implications associated with the call in of this matter.

Recommendations

10. Members are asked to consider all the reasons for calling-in this decision and decide whether they wish to confirm the decisions made by the Executive or refer the matter back for reconsideration and make specific recommendations on the report to the Executive.

Reason: To enable the called-in matter to be dealt with efficiently and in accordance with the requirements of the Council's Constitution.

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**Report
Approved**



Date 27 October 2017

Specialist Implications Officer(s) None

Wards Affected: All

For further information please contact the author of the report

Annexes

Annex A – Extract from the Decision Sheet produced following the Executive meeting on the called-in item.

Annex B – Report to the Executive of the Corporate Director of Economy and Place on Disposal of Willow House, Walmgate (19 October 2017).

Background Papers

None