

Meeting	Customer and Corporate Services Scrutiny Management Committee (Calling In)
Date	6 November 2017
Present	Councillors Williams (Chair), Galvin (Vice-Chair), D'Agorne, S Barnes, Fenton, Gates, Mason (Substitute) and Pavlovic (Substitute)
Apologies	Councillors K Myers, Ayre and Flinders
In Attendance	Councillors Flinders and Craghill

23. DECLARATIONS OF INTEREST

Members were asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests in respect of business on the agenda.

No additional interests were declared.

24. PUBLIC PARTICIPATION

There had been one registration to speak under the council's scheme of public participation.

Mr Simon Perry, Chair of Walmgate Community Association, spoke against the proposal to dispose of Willow House. He reported that the green space within the site was used regularly by local residents and provided a valuable setting for Walmgate Bar.

25. MINUTES

Resolved: To approve and sign as a correct record the minutes of the meeting held on 9 August 2017.

26. EXCLUSION OF PRESS AND PUBLIC

The Chair reminded members that the content of Annex B(4) of Agenda Item 5 was restricted and that discussion of this annex would require the exclusion of the press and public from the meeting. It was agreed not to exclude the press and public and to refrain from discussing the annex.

27. CALLED-IN ITEM: DISPOSAL OF WILLOW HOUSE, WALMGATE

Members considered the report which set out the reasons for the call-in and the Committee's remit and powers in relation to dealing with it. The decision made at the meeting of the Executive on 19 October 2017 regarding the disposal of Willow House, Walmgate had been called in by Cllrs Craghill, Flinders and Looker for the following reason:

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.

Cllr Flinders spoke on behalf of the calling-in Members. With the agreement of the Chair, Cllr Craghill was also in attendance to take questions from the committee. Cllr Flinders explained that along with the local residents, businesses and MP, they supported the preservation of the green space within the site for continued public access and use. It was felt that the social and cultural value of the green space had not been adequately considered in the council's decision to dispose of Willow House and that additional time was required to enable this to take place.

The Leader, as Executive Member for Finance and Performance, explained that the decision to dispose of Willow House had been taken in November 2016 and that the decision in question related to the choice of bidder. He reported that any restrictions placed on the disposal of the site could reduce its value and delay the sale which was needed to fund the Older People's Accommodation Scheme. He also reported that the chosen bid would preserve a percentage of the green space.

Officers were in attendance to provide technical clarifications and to take questions. Points raised included:

- The land had not been designated as open public space by the council and did not meet the criteria for such designation.
- Any development of the site would require full planning permission to be granted and preservation of trees on the site would be a matter for the planning authority to consider.
- The One Public Council assessment had been taken into account by the Executive in making their decision.

- Any changes made to the criteria of the tender would be likely to result in a requirement to go back out to tender, and legal advice would be sought regarding this.

Cllr Galvin, seconded by Cllr Gates, moved that Option A of the report be adopted (that there were no grounds to make specific recommendations to the Executive in respect of the report).

Cllr Barnes, seconded by Cllr D'Agorne, moved that the decision regarding disposal of Willow House made by the Executive on 19 October 2017 be referred back to the Executive for further consideration.

Members of the Committee discussed the points raised by the calling-in Members and by the Executive Member and Leader. Comments in support of the call-in included that the decision was not reversible and that the delay would enable more thorough consideration of the green space to be undertaken, including improving local engagement. Comments opposed to referring the decision back, included that the decision had been a valid one made for good reasons and that the delay with the sale could jeopardise the funding and progress of the Older People's Accommodation Programme.

Resolved: To refer the disposal of Willow House back to the Executive (Calling-in) Committee of 23 November 2017, with a recommendation that the sale of this land be delayed in order to allow for a detailed consideration of each of the available options for protecting this important piece of green space, so that future generations may continue to enjoy its use.

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

Cllr D Williams, Chair

[The meeting started at 5.30 pm and finished at 6.50 pm].

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