
Report to: Overview and Scrutiny Committee **Date of Meeting:** 8 November 2016
(Regeneration and Skills)

Subject: Item Called In – Southport Development Framework

Relevant Cabinet Member: Councillor Atkinson – Regeneration and Skills

Report of: Head of Regulation and Compliance

Wards Affected: Ainsdale; Birkdale; Cambridge; Dukes; Kew; Meols; Norwood;

Is this a Key Decision? Yes **Is it included in the Forward Plan?** Yes

Exempt/Confidential No

Purpose/Summary

- (1) To advise the Overview and Scrutiny Committee of the relevant aspects of the Constitution and the reasons for the call-in of the decision of the Cabinet on the above item as set out in paragraph 2.3 to this report.
- (2) To seek the views of the Overview and Scrutiny Committee.
- (3) In the event of the Committee being concerned about the decision, the Overview and Scrutiny Committee must decide which of the following courses of action is to be taken in relation to this matter:
 - a) referral of the matter to the Cabinet for re-consideration, setting out the nature of the Overview and Scrutiny Committee's concerns; or
 - b) referral of the matter to Council for the Council to decide whether it wishes to object to the decision (subject to the guidance set out in paragraph 2.5).
- (4) In the event of the Committee being satisfied with the decision, the decision can proceed for implementation immediately following the meeting.

Recommendations:

- (1) That the Committee considers the reasons set out in the extract of the Constitution (see paragraph 2.3) and the requisition for call-in (see paragraph 2.2) and determines its jurisdiction accordingly.
- (2) That the Committee determines whether it is concerned about the decision made by the Cabinet.

- (3) If the Committee is concerned about the decision, that the Committee indicates which of the two options set out in paragraph (3) of the summary set out above, it wishes to pursue.

How does the decision contribute to the Council's Corporate Objectives?

	<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	√		
2	Jobs and Prosperity	√		
3	Environmental Sustainability	√		
4	Health and Well-Being	√		
5	Children and Young People	√		
6	Creating Safe Communities	√		
7	Creating Inclusive Communities	√		
8	Improving the Quality of Council Services and Strengthening Local Democracy	√		

Reasons for the Recommendations:

The decision of the Cabinet has been called in. The Overview and Scrutiny Committee is required to consider the concerns raised by Councillors.

What will it cost and how will it be financed?

(A) Revenue Costs

There are no direct revenue financial implications arising from this report. Emerging initiatives may require revenue resources. This will be addressed as part of the pre development process and a budget identified.

(B) Capital Costs

There are no direct capital cost implications arising from this report. Emerging initiatives may require capital resources. This will be addressed as part of the predevelopment process and a budget identified. It is inevitable that the vast majority of resources to deliver the framework will be generated through the private sector and the appropriate use of council owned assets.

Implications:

Financial: Emerging initiatives may require financial resources. This will be addressed as part of the pre development process but will not necessarily be

funded directly by the Council.

Legal: Emerging initiatives may require legal support. This will be addressed as part of the pre development process.

Human Resources: Emerging initiatives may require human resources. This will be addressed as part of the pre development process and staff/resources identified.

Equality

- | | |
|---|-------------------------------------|
| 1. No Equality Implication | <input checked="" type="checkbox"/> |
| 2. Equality Implications identified and mitigated | <input type="checkbox"/> |
| 3. Equality Implication identified and risk remains | <input type="checkbox"/> |

Impact on Service Delivery: N/A

What consultations have taken place on the proposals and when?

Extensive public consultation and engagement has been undertaken as detailed in Appendix 1.

The Cabinet Member for Regeneration and Skills has been briefed on the Framework.

Local ward councillors, officers and key stakeholders have been consulted, as have members of the public. All comments have been considered and where appropriate incorporated into the final report of the Framework.

The Head of Corporate Resources has been consulted (FD 4362/16) and notes there are no direct financial implications arising from this report. However any emerging issues resulting from the approved Investment Framework will be subject of a further report, indicating any financial implications for the Council as appropriate.

The Head of Regulation and Compliance (LD 3645/16) have been consulted and has no comments on the report.

Are there any other options available for consideration?

No – the Overview and Scrutiny Committee must consider the Call-In.

Implementation Date for the Decision

To be determined by the decision of the Overview and Scrutiny Committee.

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Background Papers:

All relevant papers in relation to the Cabinet decision are attached to the report.

1. **Cabinet Decision (Cabinet Member Portfolio – Regeneration and Skills)**

1.1 The report attached as an **Appendix** to this report was considered by the Cabinet on 6 October 2016.

1.2 The decision of the Cabinet is set out below:

Decision:

That approval be given to the publication of the Southport Development Framework to guide future development and investment opportunities.

Reasons for Decision:

An approved Southport Development Framework would help promote the opportunity for investment and development potential that can support the Town.

Alternative Options Considered and Rejected:

None - The draft framework had been the subject of extensive consultation and engagement. Various options had been considered and are contained within the draft and final documentation.

2. **Details of the Call-In of the Cabinet Decision**

2.1 The following Members of the Council (who are not Members of the Cabinet) signed the requisition for the **call-in**, in relation to the Southport Development Framework, in accordance with the provisions of the Overview and Scrutiny Committee Procedure Rules in Part 4 of the Council's Constitution.

Councillor Weavers
Councillor Pat Keith
Councillor Lynne Thompson

2.2 In the requisition for the call-in, the following reasons were given:-

"We welcome all moves to improve Southport's development but seek clarification of how the Cabinet's approval of the publication of the proposed framework will guide future developments and investment opportunities and contribute towards Sefton Council policies. Paragraph 10.6 in the Southport Development framework document states that the council should develop an action plan around initiatives identified in this framework on a short medium and long-term basis. We would like to know a more precise time scale, which is essential for the plan to be put into practice, rather than the generalities given on page 55 of the Cabinet agenda from 6th October 2016 in setting up an action plan. "

2.3 The Constitution sets out the following requirements with respect to call-in:

“All requisitions for call-in shall refer to a specific decision and provide a reason. A decision may only be the subject of one call-in. A decision may only be called-in for the following purposes:

- a) to seek more understanding of the decision and its implications;
- b) to question the soundness of the decision based on facts taken or not taken into account;
- c) to identify the need for Council policies to guide decisions;
- d) to make recommendations to the Cabinet and/or Council;
- e) to question whether the decision conforms with agreed policies.”

2.4 Members are asked to consider the requisition cited above (paragraph 2.2) and determine which ground or grounds apply to the requisitions, if any. If the Committee determines that the requisitions fall within one of the grounds, then it can proceed to consider whether it is concerned with the decision.

2.5 The Secretary of State in his guidance recommends that the Overview and 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 or not wholly in accordance with the budget.