

<b>Report to</b>	<b>Communities Scrutiny Committee</b>
<b>Date of meeting</b>	<b>5 October 2020</b>
<b>Lead Member/Officers</b>	<b>Councillor Julian Thompson-Hill/Mark Dixon, Housing Development Officer/Mair Jones Principal Valuation and Estates Surveyor</b>
<b>Report author</b>	<b>Rhian Evans, Scrutiny Co-ordinator</b>
<b>Title</b>	<b>Review of Cabinet Decision relating to disposal of land adjacent to Ysgol Pendref, Denbigh</b>

## **1. What is the report about?**

- 1.1 The report is about a review under the Council's Scrutiny 'call-in' procedure of a decision on 'Disposal of Land Adjacent to Ysgol Pendref, Denbigh ' taken by the Cabinet on the 22<sup>nd</sup> September 2020.

## **2. What is the reason for making this report?**

- 2.1 A notice of a 'call-in' was submitted by 5 non-Cabinet councillors in accordance with the Council's Constitution. The notice called for a review by one of the Council's Scrutiny committees into a decision of the Cabinet relating to the disposal of land adjacent to Ysgol Pendref in Denbigh.

## **3. What are the Recommendations?**

- 3.1 That the Scrutiny Committee, after considering the information in this report, appendices and the representations made today, decides whether to refer the decision on the disposal of land adjacent to Ysgol Pendref in Denbigh, taken on the 22 September 2020, back to Cabinet for further consideration.
- 3.2 That if Cabinet is requested to reconsider its original decision, the Scrutiny

Committee identifies the reasons for the review and any recommendations it would like Cabinet to consider.

## 4. Report details

4.1 On the 22 September 2020 Cabinet considered a report on 'Disposal of Land Adjacent to Ysgol Pendref in Denbigh' (copy attached at Annex A).

4.2 At the conclusion of its discussion Cabinet resolved to:

*“(a) approve the disposal of land adjacent to Ysgol Pendref, Denbigh outlined in red on the plan (Appendix A to the report) which is surplus to Council requirements on the open market for residential development and delegates authority to the Lead Member for Finance, Performance and Strategic Assets to approve the final sale, and*

*(b) confirms it has read, understood and taken account of the Well-being Impact Assessment (Appendix B to the report) as part of its consideration.”*

4.3 The Council's 'call-in' procedure defines a process for Scrutiny to exercise its statutory powers to review or scrutinise executive decisions, and to request that the decision-maker reconsiders a decision that has been taken, prior to it being implemented.

4.4 Cabinet's decision was published on the 24 September. The 'call-in' procedure allows non-Cabinet councillors 5 working days in which to submit a notice of 'call-in'. Councillor Glenn Swingler submitted a notice of 'call-in' electronically on 30 September. This request was supported (via individual e-mails) by four other non-Cabinet councillors, namely Councillors Gwyneth Kensler, Paul Penlington, Arwel Roberts, and Rhys Thomas.

4.5 The reason stated on the request for 'calling-in' the decision is:

*“1: This is more land owned by Council being sold for a quick fix to fill budget holes.*

- 2: *Upper Denbigh has up to 300 houses being built on the NWH (North Wales Hospital) site and more (mostly) unaffordable housing is not required.*
- 3: *The land is presently farm land. We should be encouraging more people into farming. We don't yet know the effects of Brexit on food security and now would be a foolish time to dump this land.*
- 4: *Although it mentions the land not being suitable for a new build for Ysgol Pendref it was only a very, very short time ago Cabinet agreed to the new 21st century schools programme and to commence a scoping exercise. Has that been completed already?*
- 5: *Once land belonging to the people has been sold to private enterprises there is no going back. How are cabinet certain the land will not be needed in the future.*
- 6: *We must surely be building more social housing.”*

- 4.6 After considering the Cabinet’s decision and the representations made at today’s meeting, Communities Scrutiny Committee must decide whether the decision should be referred back to Cabinet. The Scrutiny Committee should provide its reasons for doing so and any information it wants Cabinet to consider. These would be considered by Cabinet at its next available meeting and Cabinet should demonstrate that appropriate consideration is given to the Scrutiny Committee’s recommendations.
- 4.7 Cabinet will have the options to change or re-affirm its original decision.
- 4.8 If Communities Scrutiny Committee decides that Cabinet’s decision should not be referred back to Cabinet, then the original decision can be implemented immediately.

## **5. How does the decision contribute to the Corporate Priorities?**

- 5.1. See Cabinet report dated 22 September 2020 (Annex A).

## **6. What will it cost and how will it affect other services?**

6.1. See Cabinet report dated 22 September 2020 (Annex A).

## **7. What are the main conclusions of the Well-being Impact Assessment?**

7.1. See Cabinet report dated 22 September 2020 (Annex A).

## **8. What consultations have been carried out with Scrutiny and others?**

N/A. This report has been prepared under the provisions and timescales of the Council's constitution for a 'call-in' of a Cabinet decision

## **9. Chief Finance Officer Statement**

9.1. See Cabinet report dated 22 September 2020 (Annex A)

## **10. What risks are there and is there anything we can do to reduce them?**

10.1. See Cabinet report dated 22 September 2020 (Annex A)

## **11. Power to make the decision**

11.1. Section 21(2) and (3) of the Local Government Act 2000

11.2. Sections 7.2.1 and 7.25 of the Council's Constitution