

APPENDIX 4 - TERMS OF REFERENCE

Call-in of the Cabinet Member decision: E2677

Introduction

On 7th July 2014, a Single Member Cabinet Decision was taken by Cllr Hall to not object to the naming of the streets in the Keynsham redevelopment as 'Market Walk' (see resolution (E2677)).

On 11th July 2014 a call-in notice was received, signed by 15 Councillors, objecting to this decision. The reasons given for the call-in together with officer comment in italics were as follows:

- The information provided to the decision maker was factually incorrect in that the area did not have 'historical links to the market', as Keynsham Market was on Bath Road, not Temple Street.
- *There maybe is ambiguity as to what 'the area' refers to in the report (Section 5.4). Bath Road/ Bath Hill are within the area of these new roads. There was historically a market on Bath Road adjacent to The Talbot pub. The history of Keynsham always refers to it as a market town. There was in more recent times a 'farmer's market held on this development site. The Developer also expressed a view looking forward as to their aspiration for the streets around the new development to hold a market.*
- The Council undertook detailed consultation with residents, but has chosen to ignore the outcome of this consultation and rejected alternative name proposals put forward by Keynsham Town Council.
- *The objection of KTC was noted in the report (para 5.3) with a copy of the minutes of their meeting dated 20th May 2014 being appended to the report. The Developer did consider the other names put forward as part of the consultation.*
- That the rationale for rejecting the alternative proposals is inadequate, with the Cabinet report stating them only to be 'unacceptable' with no further explanation.
- *The Single Member decision was to decide whether or not to object to the name Market Walk which had been put forward by the Developer. The other names suggested were not being put forward for consideration in this report. The Developer had already rejected the names put forward as they were entitled to do.*
- That the Council, as developer, and Cabinet, as decision maker, should take greater heed of the views expressed in the consultation with residents and the Town Council.
- *This point is covered in the responses above.*

The Panel must hold their first meeting within 14 working days of the receipt of this validated call-in request. If Panel members should vote to adjourn the meeting to receive further information, the Panel must reconvene the meeting within 7 working days. The call-in process must be completed by 9th August 2014 (unless the decision is referred to Council).

Relevant PDS Panel

The 'call-in' request has been referred to Bath & North East Somerset Council's Planning, Transport and Environment Policy Development & Scrutiny Panel to review the decision.

Call-in Meeting

At the Panel meeting on 25th July 2014 the Panel will investigate and determine the matter. They will assess in detail the reasons for the Cabinet Member decision and consider the objections stated in the call-in notice via a range of information from Councillors, Officers and members of the public (further details below).

Objective

The objective of the Call-in review is to determine whether or not the resolution made by the Cabinet Member about the naming of streets in Keynsham redevelopment site:

- Be referred back to the Cabinet Member for reconsideration [**'Uphold' the call-in**]
- Proceed as agreed by the Cabinet Member [**'Dismiss' the call-in**], or
- be referred to Full Council to undertake the role of the Panel [*the ultimate decision would still remain with the Cabinet Member*].

Method

To achieve its objective, the Panel will investigate the original decision and the objections stated in the call-in notice. The Panel will hear statements from members of the public who have registered to speak about both the substance and processes behind the decision. Public statements will be limited to 3 minutes per speaker. It will also require attendance and/or written submissions from:-

- Representative Councillor(s) for the call-in request - Cllr. Simmons
- Cabinet Member – Cllr. Hall and officers from Development Services

Outputs

The Panel's view and supporting findings will be made publicly and will include:

- Minutes & papers from public Panel call-in meetings.
- A summary note will be provided, setting out the result of the call-in meeting

Constraints

- **Timescales.** The Panel must hold its initial meeting within 14 working days to consider the call-in request. The Panel has a total of 21 working days to reach its decision.
 - **Initial Public Meeting must be held by 31/7/14 [14 working days from receipt of validated call-in request]**
 - **If meeting adjourned, second public meeting must be held by 9/8/14 [21 working days from receipt of validated call-in request]**
 - **If referred directly to the Cabinet Member, a response must be received by 14/8/14 [10 working days from date of 1st meeting]**
 - **If adjourned and then referred to Cabinet Member, a response must be received by 23/8/14 [10 working days from date of 2nd meeting]**
- **Resources.** The call-in process must be managed within the budget and resources available to the Panel.
- **Council Constitution.** Part 4E, Rule 13 requires that *“Where an Overview and Scrutiny Panel makes a recommendation that would involve the Council incurring additional expenditure (or reducing income) the Panel has a responsibility to consider and / or advise on how the Council should fund that item from within its existing resources”*. Section 3.1 of the cover report (formal agenda papers) provides further explanation.

Key Dates for the Call-in

