

# Corporate Policy Development and Scrutiny Panel

**Date:** Monday 8th February 2021

**Time:** 4.00 pm

**Venue:** <https://www.youtube.com/bathnescouncil>

**Councillors:** Paul Myers, Winston Duguid, Mark Elliott, Andrew Furse, Hal MacFie, Alastair Singleton, Shaun Hughes, Karen Warrington and Lucy Hodge



**Jo Morrison**

**Democratic Services**

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1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

3. **Recording at Meetings:-**

The Council will broadcast the images and sound live via the internet

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4. **Public Speaking at Meetings**

The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group.

**Advance notice is required not less than two clear working days before the meeting. This means that for meetings held on Mondays notice must be received in Democratic Services by 5.00pm the previous Wednesday.**

Further details of the scheme can be found at:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

5. **Supplementary information for meetings**

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<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13505>

## Corporate Policy Development and Scrutiny Panel - Monday, 8th February, 2021

at 4.00 pm

### A G E N D A

1. WELCOME AND INTRODUCTIONS
2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS
3. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

- (a) The agenda item number in which they have an interest to declare.
- (b) The nature of their interest.
- (c) Whether their interest is **a disclosable pecuniary interest** *or* an **other interest**,  
(as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

4. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN
5. ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING

At the time of publication, no notifications had been received.

6. CALL IN OF DECISION E3229 - ASSET DISPOSAL: 117 NEWBRIDGE HILL, BATH  
(Pages 5 - 22)

The Committee Administrator for this meeting is Jo Morrison who can be contacted at [democratic\\_services@bathnes.gov.uk](mailto:democratic_services@bathnes.gov.uk) 01225 394358.

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<b>Bath &amp; North East Somerset Council</b>	
MEETING:	<b>Corporate Policy Development &amp; Scrutiny Panel</b>
MEETING DATE:	8 <sup>th</sup> February 2021
TITLE:	<b>Call-in of decision E3229: - Asset Disposal: 117 Newbridge Hill, Bath</b>
WARD:	ALL
<b>AN OPEN PUBLIC ITEM</b>	
<p><b>List of attachments to this report:</b></p> <p>Appendix 1 Cabinet Decision</p> <p>Appendix 2 Accompanying Report for the Decision</p> <p>Appendix 3 Call-in Request</p> <p>Appendix 4 Terms of Reference for the Call-in</p>	

## 1 THE ISSUE

1.1 Any 9 Councillors not in the Council’s Cabinet may request that a Cabinet or Single Member Decision made but not yet implemented be reconsidered by the person or body who made it. This is called a “call-in” and has the effect of preventing the implementation of the decision pending a review of the decision by a Policy Development and Scrutiny Panel.

1.2 This report sets out the call-in received by 9 Councillors of the decision of the proposed Asset Disposal of 117 Newbridge Hill, Bath (WL). The role of the Panel is to consider the issues raised by the call-in notice and to determine its response.

## 2 RECOMMENDATION

THE PANEL IS ASKED TO:

- 2.1 a. Consider the call-in request received (refer to Appendix 3), Please refer to the first two call in bullet points which have been validated
- b. Approve the Terms of Reference of the Call-in.
- c. Decide whether it will reach a conclusion about whether to uphold or dismiss the call-in; or refer the matter to the Council itself to undertake the role of the Panel, at this meeting or if a further meeting is required.
- d. If a further meeting is required to hear and determine the call-in, the Panel is asked to agree the date for this. [The constitutional requirement is for that

meeting to take place before the end of the 10<sup>th</sup> February 2021 (this timescale would not apply if the Panel decided to refer their role to the full Council)].

### **3 FINANCIAL IMPLICATIONS**

3.1 The Panel should be aware that the Council's 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 or the extent to which that should be seen as a priority for future years’ budget considerations”.*

3.2 It is important, therefore, in its consideration of the call-in that the Panel gives consideration to the alternative options available to the decision-maker and the financial consequences of these.

### **4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSALS**

4.1 A Call-in is a statutory process pursuant to the Council's Constitution Part 4D (1) & 4E;

<https://democracy.bathnes.gov.uk/documents/s57620/Part%204%20D-1%20Call-in%20procedure%20rules.pdf>

<https://democracy.bathnes.gov.uk/documents/s58425/Part%204%20E%20Overview%20and%20Scrutiny%20procedure%20rules.pdf>

### **5 THE REPORT**

#### **BACKGROUND**

5.1 The decision which is now subject to a call-in request was a single Member Cabinet Decision made on the 18<sup>th</sup> January 2021 (Appendix 1) following consideration of the officer report (Appendix 2). The Council Solicitor, in consultation with the Chief Executive, has validated the call-in request for the first two bullet points of the call-in request. *(The Monitoring Officer has advised that the third bullet point is not deemed to be within scope as no decision was made by the Cabinet member on consultation/transparency. The decision maker had no control of the governance structure, which is set out in the Protocol for Local Authority Company Governance, agreed at Council.)*

5.2 Appendix 3 sets out the reasons for the call-in request. (please refer to the first two bullet points)

#### **ASSESSING THE CALL-IN REQUEST**

5.3 The Terms of Reference (Appendix 5) will indicate the suggested scope of the Call-in. This will outline the information and contributions the Panel is advised to consider in order to determine the call-in. It will have been prepared in consultation with the Chair. Panel members are invited to comment on the terms of reference

and any changes they request will be taken into account in an updated version which will be circulated at the meeting.

5.4 The Policy Development and Scrutiny Panel Chairs have approved guidance on the handling of call-in requests which make clear that there is a presumption that every validated call-in will proceed to a public meeting stage. The process for that meeting is set out in paragraph 5.5 below. If a second meeting of the Panel is required to complete the review it needs to take place no later than 19<sup>th</sup> February 2021 to comply with the constitutional requirement that the total period of overview and scrutiny involvement in a call-in must not exceed 21 working days.

### **SUGGESTED FORMAT FOR THE MEETING TO DETERMINE THE CALL-IN**

5.5 When the Panel determines the call-in, it is suggested that the following format be adopted:

- (1) Remind itself of the issues to be considered and consider any additional written information supplied.
- (2) Hear from and ask questions of the Cabinet Member(s) and Lead (or other agreed) Officers.
- (3) Hear from and ask questions of Councillor(s) representing the call-in signatories.
- (4) Hear from and ask questions of any public speakers. appropriate external contributors (a "panel" style contributors` session is suggested).
- (5) Call-in Councillor and Cabinet member(s) have the opportunity to make comments on any new considerations that may have arisen during the debate.
- (6) Discuss and draw conclusions from the written and oral information presented.
- (7) Consider and formulate the Panel's determination of the call-in.

## **6 RATIONALE**

6.1 The recommendations were suggested pursuant to the Council's constitution.

## **7 OTHER OPTIONS CONSIDERED**

7.1 Not applicable

## **8 CONSULTATION**

8.1 This report has been prepared following consultation with the Chair and Vice Chair of the Policy Development and Scrutiny Panel.

## **9 RISK MANAGEMENT**

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

<b>Contact person</b>	<i>Donna Vercoe, Senior Scrutiny Officer, 01225 396053</i>
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<b>Background papers</b>	<i>none</i>
<b>Please contact the report author if you need to access this report in an alternative format</b>	



## Single Member Cabinet Decision

Executive  
Forward Plan  
Reference**E3229****Asset Disposal: 117 Newbridge Hill, Bath**

<b>Decision maker/s</b>	Cllr Richard Samuel, Deputy Council Leader and Cabinet Member for Resources.
<b>The Issue</b>	To approve the disposal of 117 Newbridge Hill, Bath to the Council's housing development company Aequus Construction Limited (ACL) for the creation of 6 apartments.
<b>Decision Date</b>	Not before 31 <sup>st</sup> December 2020
<b>The decision</b>	The Cabinet Member agrees to:  <ol style="list-style-type: none"><li>1. Approve the disposal of 117 Newbridge Hill, Bath to ACL for £308k with the voluntary conditions detailed within this report;</li><li>2. Authorise the Director of Economy &amp; Growth to enter a Development Agreement with ACL for the redevelopment of the site into 6 apartments.</li></ol>
<b>Rationale for decision</b>	Disposal on the open market, and without restriction, is likely to result in the property being developed into a luxury single dwelling house, student or holiday lets. The Council is therefore applying additional conditions, formally known as voluntary conditions, to ensure that the development meets the wider strategic aims of the Council as detailed in the covering report.
<b>Financial and budget implications</b>	The asset transfer, with attached voluntary conditions designed to meet the Council's wider corporate and strategic aims, will produce a £308k capital receipt. The voluntary conditions create an undervalue of £482k. However, the Full Business Case produced by Aequus predict gross returns to the Council between £599k and £807k.
<b>Issues considered</b>	Social Inclusion; Sustainability; Property; Corporate; Other Legal Considerations
<b>Consultation undertaken</b>	Stakeholders/Partners; Section 151 Finance Officer; Monitoring Officer
<b>How consultation was carried out</b>	Internal consultation.
<b>Other options considered</b>	To sell the property on the open market.
<b>Declaration of interest by Cabinet</b>	None

<b>Member(s) for decision:</b>	
<b>Any conflict of interest declared by anyone who is consulted by a Member taking the decision:</b>	None

<b>Name and Signature of Decision Maker/s</b>	
<b>Date of Signature</b>	
<b>Subject to Call-in until 5 Working days have elapsed following publication of the decision</b>	

## Bath & North East Somerset Council

DECISION MAKER:	<b>Cllr Richard Samuel, Deputy Council Leader and Cabinet Member for Resources.</b>	
DECISION DATE:	<b>On or after 31<sup>st</sup> December 2020</b>	EXECUTIVE FORWARD PLAN REFERENCE:
		<b>E 3229</b>
TITLE:	<b>Asset Disposal: 117 Newbridge Hill, Bath</b>	
WARD:	All	
<b>EXEMPT ITEM</b>		
<b>List of attachments to this report:</b> Exempt Appendix 1 – Valuation Report		

### 1 THE ISSUE

- 1.1 To approve the disposal of 117 Newbridge Hill, Bath to the Council's housing development company Aequus Construction Limited (ACL) for the creation of 6 apartments.

### 2 RECOMMENDATION

The Cabinet Member is asked to:

- 2.1 Approve the disposal of 117 Newbridge Hill, Bath to ACL for £308k with the voluntary conditions detailed within this report;
- 2.2 Authorise the Director of Economy & Growth to enter a Development Agreement with ACL for the redevelopment of the site into 6 apartments.

### 3 THE REPORT

#### Background

3.1 The property, 117 Newbridge Hill, Bath, is a Victorian building previously used as offices by the Children's Services Team and now deemed surplus to Council requirements. In accordance with the Transfer Agreement approved by the Council in January 2020 ACL has submitted a Full Business Case for the development of the property in line with Council requirements.

3.2 Disposal on the open market, and without restriction, is likely to result in the property being developed into a luxury single dwelling house, student or holiday lets. The Council is therefore applying additional conditions, formally known as voluntary conditions, to ensure that the development meets the wider strategic aims of the Council. These voluntary conditions include:

- the provision of apartments (rather than luxury home) aimed at young professionals and first-time buyers; and
- improved sustainability and energy efficiency; and
- prohibiting student accommodation, holiday lets or Houses in Multiple Occupation (HMOs).

3.3 The Business Case proposal from ACL, and which adheres to the above voluntary conditions, will see the scheme deliver the following key outcomes:

- Six quality apartments in Bath targeted at professional workers and first time buyers, potentially attractive to key workers at the nearby RUH. A local resident only period will be provided for early release sales.
- Sustainability, energy efficiency and space standards will be improved.
- The site will be developed immediately using local contractors within 12 months of the freehold transfer. The site will not be land banked.
- The site will be covenanted against future use as holiday lets or HMO's.
- Aequus' total gross returns to the Council is predicted to be between £599k and £807k excluding additional Council Tax payments.

3.4 The Aequus Board and the Shareholder has considered and approved the Business Case. However, the Business Case may be subject to amendments arising from external factors, for example, updated sales values or tender pricing, a reprofiled development timeline and revised cash flow forecast etc.

#### Undervalue

3.5 An independent valuation of the property undertaken by Knight Frank advised the Unrestricted Valuation, also known as an open market valuation, would be £790k. However, given the nature and location of the property there is significant risk that if sold on the open market, and without conditions, it would be result in the development of a high margin scheme, such as, a single luxury home or AirBnB type holiday lets which would add little, or no social value to the

locality. The Council is therefore intending to apply the voluntary conditions detailed in para 3.2.

- 3.6 Typically, any restrictions on property usage will negatively impact upon disposal value. Indeed, Knight Frank have advised that the above voluntary conditions will reduce the disposal value, known as Restricted Value, to £308k. The difference between the Unrestricted Value and Restricted Value, known as the Undervalue, is £482k. The most significant element of the undervalue relates to the development of apartments rather than single luxury property, in part due to the increased build costs associated with this scheme. The prohibition of student and holiday lets are more nominal in terms of value and relate to more to marketability. The following table summarises the impact of the voluntary conditions.

Restrictions (Voluntary Condition)	Valuation Impact of Condition (approximate)
Provision of apartments (rather than luxury home) aimed at young professionals and first-time buyers	£433k
Improved sustainability and energy efficiency	£49k
Prohibiting student accommodation, holiday lets or Houses in Multiple Occupation (HMOs)	Nominal
Total Impact	£482k

- 3.7 When disposing of an asset the Council is generally obliged to secure best consideration, usually interpreted as the open market value of the asset. However, under the Local Government Act 1972 General Disposal Consent Order 2003 the Council can dispose of land below open market value where the disposal is likely to contribute to the achievement of the promotion or improvement of economic, social or environmental well-being of the area and provided that the undervalue is £2m or less. It is considered that the application of the voluntary conditions detailed in para 3.2, and which give rise to an undervalue, meet this statutory requirement for the reasons detailed in para 3.9 onwards.
- 3.8 Whilst applying voluntary conditions has created an undervalue on the asset value it is important to note that this development will produce additional returns over and above just the asset transfer value. The Full Business Case identifies that in addition to the development return there will be the Council Tax income of 6 flats (Band C) compared to a single property (Band H) this will generate income that will help fund Council services alongside the general Council service provision for the development.
- 3.9 The National Planning Policy Framework (NPPF) 'Delivering a sufficient supply of homes' sets out the need for Local Authorities to ensure that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The NPPF also states that to determine the minimum number of homes needed, strategic policies should be informed by a housing needs assessment.
- 3.10 The Council's adopted housing needs assessment demonstrates that 2 bed apartments are in far greater need than large (5bed+) homes. Indeed, the assessment also confirms that the greatest growth in local need over the next 20

years will also be for 2 bed apartments. This, and other relevant housing needs evidence, has been adopted into policy through the Council's Core Strategy and Local Plan. The Core Strategy and Local Plan articulates how the spatial planning of the locality will contribute to the economic, social and environmental well-being of the area

3.11 The voluntary condition to develop apartments (rather than a single dwelling or holiday lets) is supported, and guided by, the Council's Core Strategy and Local Plan through the following specific policies:

- Providing six homes (rather than a single large property or zero in the case of holiday lets) goes further towards meeting the overall housing need required to respond to demographic and social changes and to support the labour supply to meet economic development objectives. Supported by Core Strategy 2014 and Local Plan 2017 (Strategic Objectives and Policy H3).
- Increased quantum supports economic development and specifically reduces the need for labour to be imported from neighbouring locations (Policy B1 Bath Spatial Strategy). Reducing the need to travel by achieving closer alignment of homes, jobs, infrastructure and services is supported by the Local Plan 2017 (Strategic Objectives)
- Provides greater choice for residents in a locality with limited flats (Core Strategy 2014 CP10 Housing Mix and Local Plan 2017 Strategic Objectives).

3.12 In March 2019 the Council declared a Climate Emergency and pledged to provide the leadership to enable carbon neutrality in the district by 2030. Subsequent research, produced by Anthesis, has confirmed energy use in buildings constitutes 66% of the area's in-district carbon footprint, and the largest single portion of the household footprint. The Council's Climate Emergency Action Plan has therefore prioritised the retrofitting of existing buildings. The voluntary condition related to improved sustainability and energy efficiency is therefore supported and guided by this corporate policy. The energy efficiency conditions are also supported by the Core Strategy (Planning Policy CP1 & CP6B)

3.1 The above research also confirmed that transport accounts for a further 29% of the district's carbon footprint. As such the Council's Climate Emergency Action Plan has also prioritised the reduction in emissions associated with transport. The voluntary condition to develop apartments (rather than a single dwelling or holiday lets) and which therefore reduces the need for workers to commute into the City also supports this priority. Support for the Action Plan is further enhanced by the provision of bike storage and an electric vehicle charging point. These conditions are also supported by the Core Strategy (Planning Policy CP6f).

## **4 STATUTORY CONSIDERATIONS**

4.1 S123 Local Government Act 1972 enables the Council to dispose of land in its general fund in any manner it sees fit. However, this power is limited such that the Council must obtain best consideration except with the consent of the Secretary of State. It has generally been held that open market value of the land in question is relevant when determining whether best consideration has been achieved.

- 4.2 However, the Local Government Act 1972 General Disposal Consent Order 2003 removes the requirement for the Council to seek the consent of the Secretary of State where it wishes to dispose of land below best consideration in specified circumstances. These are where the Council considers the disposal is likely to contribute to the achievement of the promotion or improvement of economic, social or environmental well-being provided that the undervalue is £2m or less.
- 4.3 In this context the undervalue is the difference between the unrestricted value of the land being disposed of and the restricted value (the restricted value to include the monetary value of any voluntary conditions).
- 4.4 The General Disposal Consent gives local authorities autonomy to carry out their statutory duties and functions, and to fulfil such other objectives as they consider to be necessary or desirable. However, when disposing of land at an undervalue, authorities must remain aware of the need to fulfil their fiduciary duty in a way which is accountable to local people. Paragraph 5, below, demonstrates how that fiduciary duty is met.

## **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

- 5.1 The asset transfer, with the attached voluntary conditions designed to meet the Council's wider corporate and strategic aims, will produce a £308k capital receipt. The voluntary conditions create an undervalue of £482k. However, the Full Business Case produced by Aequus predict gross returns to the Council between £599k and £807k.
- 5.2 Furthermore, the restrictions against a single home will also ensure enhanced Council Tax returns, which over a period of 20yrs is worth around £116k at current rates, albeit it should be acknowledged that some of this increased income will go to service provision.

## **6 RISK MANAGEMENT**

- 6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

## **7 EQUALITIES**

- 7.1 An Equalities Impact Assessment has not been undertaken on the proposal. However, the applied voluntary conditions will ensure that the development meets the Council's strategic aims.

## **8 CLIMATE CHANGE**

- 8.1 In accordance with the Council's requirements the redevelopment will provide a number of energy efficiency and sustainability benefits for the building including: replacement double glazing throughout; enhanced insulation to the fabric of the building including roof space, ground floor slab and between the apartments; heating and hot water provided via high efficiency condensing gas boilers; LED lighting throughout; communal Electric Vehicle charging point and a new cycle shelter.

## **9 OTHER OPTIONS CONSIDERED**

9.1 Open market sale. However, this would mean that ACL does not proceed with the scheme and the risk that the identified benefits associated with the voluntary conditions are lost.

## 10 CONSULTATION

Consultation has taken place with the Statutory Officers, Cabinet Members and the Council's Client Liaison Board.

<b>Contact person</b>	Graham Sabourn, Head of Housing – Tel: 01225 477949
<b>Background papers</b>	None.
<b>Please contact the report author if you need to access this report in an alternative format</b>	



## **Call-in application**

Decision: Asset Disposal 117 Newbridge Hill, Bath (WL)

Decision maker: Cabinet Member for Resources

Notice of proposed decision first published: 24/08/2020

Decision due: Not before 31st Dec 2020

EFP Reference: E3229

## **Reasons for the call-in**

The signatories believe that:

- the decision to dispose of the asset at nearly half a million pounds below market value, and on a non-competitive basis, is contrary to the interests of Council Taxpayers in B&NES
- the case has not been made to justify the below market value disposal and so the asset should be listed on the open market, where it will fetch greater returns for the Council
- although consultation has taken place with the Statutory Officers, Cabinet Members and the Council's Client Liaison Board, the governance structure underpinning this decision is overly complex and confusing and, as a result, there has been a lack of transparency

## **Signatories**

1. Cllr Vic Pritchard
2. Cllr Karen Warrington
3. Cllr Paul May
4. Cllr Brian Simmons
5. Cllr Alan Hale
6. Cllr Chris Watt
7. Cllr Sally Davis
8. Cllr Michael Evans
9. Cllr Vic Clarke

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## Appendix 4 - Terms of Reference

### Call-in of the Cabinet decision: E3229

#### Introduction

A single member Cabinet Decision was made on the 18<sup>th</sup> January 2021 resolved as set out below:

The Cabinet Member agrees to:

- 1.1 Approve the disposal of 117 Newbridge Hill, Bath to ACL for £308k with the voluntary conditions detailed within this report;
- 1.2 Authorise the Director of Economy & Growth to enter a Development Agreement with ACL for the redevelopment of the site into 6 apartments
- 1.3 The rationale for the decision states that the disposal on the open market, and without restriction, is likely to result in the property being developed into a luxury single dwelling house, student or holiday lets. The Council is therefore applying additional conditions, formally known as voluntary conditions, to ensure that the development meets the wider strategic aims of the Council as detailed in the covering report.

2.1 On the 21<sup>st</sup> January 2021 a call-in notice was received, signed by 9 Councillors, objecting to this decision.

This relates to the proposed Asset Disposal of 117 Newbridge Hill, Bath (WL) taken on 18<sup>th</sup> January 2021 by the Cabinet Member for Resources for the following reasons:

- **the decision to dispose of the asset at nearly half a million pounds below market value, and on a non-competitive basis, is contrary to the interests of Council Taxpayers in B&NES**
- **the case has not been made to justify the below market value disposal and so the asset should be listed on the open market, where it will fetch greater returns for the Council**
- although consultation has taken place with the Statutory Officers, Cabinet Members and the Council's Client Liaison Board, the governance structure underpinning this decision is overly complex and confusing and, as a result, there has been a lack of transparency

## Relevant PDS Panel

The 'call-in' request has been referred to Bath & North East Somerset Council's Corporate Panel to review the decision.

## Call-in Meeting

At the Panel meeting on the 8<sup>th</sup> February 2021 the Panel will investigate and determine the matter. They will assess in detail the reasons for the Cabinet decision and consider the objections, **(the first two bullet points)** 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 Members should: -

- Be referred back to the Cabinet for reconsideration [**'Uphold' the call-in**]
- Proceed as agreed by the Cabinet [**'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*].

## Method

To achieve its objective, **the Panel will investigate the original decision and the objections stated in the call-in notice reasons received for the first two bullet points.** 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 or any variation proposed by the Chair. It will also require attendance and/or written submissions from: -

- Representative Councillor(s): Cllr Vic Pritchard
- Lead Cabinet Member – Cllr Richard Samuel (Cabinet Member for Resources) and key service officers

## 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

- **The Panel will only address questions from the validated points within the call-in notice.**

- **Timescales.** The Panel must hold its initial meeting within 14 working days of the call-in being verified 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 **10<sup>th</sup> February 2021** [14 working days from receipt of validated call-in request]
  - If meeting adjourned, second public meeting must be held by the **19<sup>th</sup> February 2021** [21 working days from receipt of validated call-in request]
  - If referred directly to the Cabinet, a response must be received by the **23<sup>rd</sup> February 2021** [10 working days from date of 1<sup>st</sup> meeting]
  - If adjourned and then referred to the Cabinet, a response must be received within 10 working days from date of 2<sup>nd</sup> meeting, **4<sup>th</sup> March 2021**
  
- **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.
  
- **Code of Conduct**

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