

REPORT OF THE MONITORING OFFICER

SALE OF LAND AT TOP WIGHAY – REFUSAL OF CALL-IN REQUEST

Purpose of the Report

1. To advise Overview Committee of the refusal of the call-in request that was submitted in relation to the decision taken by the Cabinet Member for Economic Development and Asset Management taken on 10 May 2023 on the Sale of Land at Top Wighay.
2. The Council's Constitution states that the Monitoring Officer will submit a report at the next available meeting of the Overview Committee giving details of a request for a call-in of a decision that was refused and reasons for that refusal.

Information

3. On 18 May 2023 a letter was submitted to the Monitoring Officer by Councillor Shaw as lead member to request that the decision by the Cabinet Member for Economic Development and Asset Management taken on 10 May 2023 on the Sale of Land at Top Wighay be called-in. The letter requesting the call-in of the decision is attached at **Appendix 1**.
4. On 26 May 2023 the Monitoring Officer wrote to Councillor Shaw to advise that having considered the request that the request did not meet the grounds for a call-in, and as such had been refused. The Monitoring also advised in the response that the procedure to request a call-in had not been followed correctly and referred Councillor Shaw to the processes that supported the call-in procedure that are detailed in the Council's Constitution. The letter refusing the call-in request is attached at **Appendix 2**.

Other Options Considered

5. None. As detailed in the Council's Constitution it is required that the Monitoring Officer submits a report to the next available meeting of the Overview Committee that provides details on a request for a call-in of a decision that was refused and the reasons for that refusal.

Reasons for Recommendation

6. That in accordance with the Council's Constitution, to advise Overview Committee of a request for a call-in of a Cabinet decision that was refused and the reasons for that refusal

Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

8. There are no direct financial implications arising from the recommendations in this report

RECOMMENDATION

- 1) That Overview Committee notes the call-in request that was made in relation to the decision taken by the Cabinet Member for Economic Development and Asset Management on the Sale of Land at Top Wighay and the response from the Monitoring Officer refusing the request.

MARJORIE TOWARD
MONITORING OFFICER AND SERVICE DIRECTOR CUSTOMER, GOVERNANCE AND EMPLOYEES

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Constitutional Comments

- 9.

Finance Comments

- 10.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- [Report to the Cabinet Member for Economic Development and Asset Management - 10 May](#)
- [Decision Record Sheet](#)

Electoral Division(s) and Member(s) Affected

- All