

OVERVIEW AND SCRUTINY BOARD

Date: Friday 31st March, 2023
Time: 10.00 am
Venue: Mandela Room

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Call In - Developing a New Nunthorpe Community Facility 3 - 28
4. Any other urgent items which, in the opinion of the Chair, may be considered.

Charlotte Benjamin
Director of Legal and Governance Services

Town Hall
Middlesbrough
Thursday 23 March 2023

MEMBERSHIP

Councillors M Saunders (Chair), T Mawston (Vice-Chair), R Arundale, C Cooke, D Davison, C Hobson, B Hubbard, D Jones, D McCabe, C McIntyre, J Platt, M Storey, J Thompson and E Polano

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Scott Bonner, 01642 729708, scott_bonner@middlesbrough.gov.uk

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MIDDLESBROUGH COUNCIL

OVERVIEW AND SCRUTINY BOARD

31 MARCH 2023

**CALL IN – DEVELOPING A NEW NUNTHORPE
COMMUNITY FACILITY**

PURPOSE OF THE REPORT

1. In accordance with Middlesbrough Council's call in Procedure, to allow Members of the Overview and Scrutiny Board (OSB) the opportunity to consider a decision made by the Executive.

RECOMMENDATION

2. That the Overview and Scrutiny Board considers the decision of the Executive and determines whether it should be referred back to the decision making body for reconsideration.

EXECUTIVE DECISION

3. A meeting of the Executive was held on 7 March 2023. At that meeting, consideration was given to a report of the Executive Member for Regeneration in respect of the Developing a New Nunthorpe Community Facility.
4. A copy of the above report, which outlined the background to the New Nunthorpe Community Facility, is attached at **Appendix 1**.
5. The report included the following recommendations:-
 - a. the identification of land adjacent to the new GP Surgery at Nunthorpe as the preferred site for a new community centre;
 - b. the commencement of a process to identify an appropriate organisation to operate the new community centre, prior to any major expenditure being incurred;
 - c. the release of up to £20,000 from the budget to enable early stage design consideration to inform the identification of an appropriate organisation; and,
 - d. the allocation 0.5 acres of land owned by the Council off Stokesley Road for designation as a community garden.

The decision was supported by the following analysis:

6. The Council has undertaken an option appraisal process to identify the most appropriate location for a new community facility in Nunthorpe, including a public consultation. The option appraisal identified the location adjacent to the new GP Surgery as the preferred site for the new facility for the following reasons:
 - a. the proposed land is owned and controlled by the Council;
 - b. the proposal looks to develop a stand-alone new build solution and as a consequence will not require a proportion of the budget to be spent on required energy efficiency improvements to an existing building;
 - c. the area suggested for the new facility would provide some flexibility to adjust plans should any issues occur during construction;
 - d. no significant environmental issues are present on the site that would require mitigation;
 - e. the outcome of the appraisal meets that of the preferred location from the community consultation; and,
 - f. provides no immediate Highways and/or Planning concerns.

CALL IN PROCEDURE

7. The power to call in a decision of a local authority executive body was introduced under the Local Government Act 2000. The process is intended to hold decision makers to account and ensure that executive powers are discharged properly. Call in ensures that a decision can be reviewed and reconsidered before it is implemented.
8. The procedure allows Members the opportunity to call in decisions for review by the Overview and Scrutiny Board as follows:
 - A decision made by The Executive;
 - A decision made by an individual Member of the Executive;
 - A decision made by a committee or sub-committee of the Executive;
 - A key decision made by an officer with delegated authority from the Executive; or
 - A decision made under joint arrangements.
9. The process is initiated by five Members of the Council requesting a decision to be reviewed within five working days following publication of the decision and submitting a form that outlines the reason(s) for the call in.
10. The completed Call-In form, signed by five Members supporting the request to call in the decision outlined above was received by the Monitoring Officer on 10 March 2023.
11. The five Members supporting the call in were Councillors C Hobson (Proposer) Davison, J Hosbon, Rathmell and Wilson.
12. The decision to be called in is as follows:
 - The preferred location adjacent to the GP Surgery as the preferred site for a new community facility in Nunthorpe.

13. The reasons for the call in, as determined as being valid by the Council's Monitoring Officer, are as follows:

1. The public consultation was ran by MBC but the parish council as one of the bid writers, were given control of the paper consultation responses and moved the drop off locations multiple times during this period. This means MBC did not retain full control of the consultation.
2. The public consultation did not have the integrity of consultations MBC has previously carried out. It did not require respondents to list their details, names or address. Therefore the respondents could be from outside of Nunthorpe/ Marton or even the U.K.
3. The public consultation was the result of the initial process having been stopped and restarted by Ian Wright the then section 151 officer for multiple reasons, one including a conflict of interest between the Parish Council bid writers, in part because they were sat on panels such as Nunthorpe Vision in other capacities without stating their conflicts of interest.
4. At the executive meeting, no reference to the planning objectives for site selection were given, although could provide a fundamental hurdle at a later stage, and;
5. The executive were not advised that the original process adopted by the council resulted in both site proposals being independently scored by an outside panel. This panel scored the PFA site and community centre 30 points higher than the option being recommended by officers to the executive.
 - MBC are at risk of legal challenge from the PFA due to the poor governance and lack of integrity of the public consultation,
 - The preferred location could potentially have been overlooked as a result of the bias of the public consultation, as one bidder had significant control over the paper responses (parish council).

We would like to see the public consultation be restarted, MBC retain full control of the consultation and not provide one of the bidders access to paper responses. We would also like to see a requirement for respondents to provide their names and addresses on the completed consultation responses. This could easily be completed within 6 weeks and would remove any risk or doubt of legal challenge. It would also guarantee the integrity of the consultation process and provide an outcome which genuinely represents the will of residents.

14. To assist the Overview and Scrutiny Board in the call in process the Executive Member for Regeneration and appropriate Council officers will be present at the meeting. The Executive Members and officers will explain the reasons and rationale behind the report and the decision that was made. The Member who initiated the call in will also be present to explain their views and concerns in respect of the decision.

15. A copy of the procedure to be followed at the meeting is attached at **Appendix 2**.
16. Having considered the submitted information, the Overview and Scrutiny Board has the following courses of action available:
 - i. To refer the decision back to the Executive/Executive Sub-Committee/Executive Member/Officer for reconsideration. In that case, OSB should set out in writing the nature of its concerns about the decisions.
 - ii. To determine that it is satisfied with the decision making process that was followed and the decision that was taken by the Executive/Executive Sub-Committee/Executive Member/Officer. In that event, no further action would be necessary and the Executive decision could be implemented immediately.
 - iii. Request that the decision be deferred (adjourned) until the Overview and Scrutiny Board has received and considered any additional information/evidence required to make a decision with regard to the Call-In from other witnesses not present at the committee. (The Committee need to clearly identify the relevant issues that need to be given further consideration and whether there are any specific time constraints or other implications affecting the proposed implementation of the decision.)
 - iv. Take no action in relation to the Called-In decision but consider whether issues arising from the Call-In need to be added to the Work Programme of any existing or new Overview and Scrutiny Standing Panel/OSB. (The Committee need to clearly identify the issues to be added to the Work Programme.)
 - v. If, but only if (having taking the advice of the Monitoring Officer and/or the Chief Finance Officer), the Committee determines that the decision is wholly or partly outside the Budget and Policy Framework refer the matter, with any recommendations, to the Council after following the procedure in Rule 8 of the Budget and Policy Framework Procedure Rules. Only in this case is there a continuing bar on implementing the decision.
17. In the event that the decision is referred back to the Executive, a further meeting of the Executive would be arranged within ten further working days. The Executive would then make a final decision in the light of any recommendations made by OSB.
18. Where the recommendations of OSB are not accepted in full by the relevant Executive body, the body should notify the OSB of this and give reasons for not accepting the recommendations.

BACKGROUND PAPERS

19. The following background papers were used in the preparation of this report:

- Middlesbrough Council's Call-In Procedure.
- Report to Executive – 7 March 2023.

Contact Officer:

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MIDDLESBROUGH COUNCIL



Report of:	Executive Member for Regeneration Executive Member for Finance and Governance Director of Regeneration and Culture Director of Finance
Submitted to:	Executive
Date:	7 March 2023
Title:	Developing a New Nunthorpe Community Facility
Report for:	Decision
Status:	Public
Strategic priority:	Physical environment
Key decision:	Yes
Why:	Decision(s) will incur expenditure or savings above £150,000
Urgent:	No
Why:	Not Applicable

Executive summary

The report seeks to outline the Council's aim to deliver a new Community Centre in Nunthorpe and seeks approval for the recommended location of land off Stokesley Road following public consultation and a detailed option appraisal process.

The report requires an Executive approval as the decisions would lead to expenditure that would exceed £150,000.

Other options have been scoped by officers and are outlined within the report. It is believed that the recommendation presented within the report supports the requirements of both the local community and meets the aims and objectives of the Council.

Purpose

1. To seek approval of the recommendations to locate a new community centre on land within Nunthorpe ward.

Background and relevant information

2. There has been a long standing requirement for new community space to be developed within the Nunthorpe area. The need for such space has been communicated by residents, community groups and local elected members for some time.
3. In 2020, Middlesbrough Council, in conjunction with community representatives developed a series of commitments that were intended to ensure that the local community were engaged in the area's future and would ultimately lead to the development of a Neighbourhood Plan. Again, the need for a new community facility was clearly communicated as a priority for the local community.
4. As part of this work, a number of proposals came forward to develop new community space, in different parts of Nunthorpe. One proposal identified a site owned by the Council adjacent to the new GP Surgery off Stokesley Road, and the other identified an opportunity to build on the existing Nunthorpe and Marton Playing Fields Association facilities off Guisborough Road.
5. Also in 2020 a significant allocation of Town's Fund resources was added to the existing Council funds to ultimately provide a budget of £966,000 to deliver a new community centre at Nunthorpe.
6. A process to look at specific proposals for each site was undertaken by the Council and other external stakeholders in 2021, but no formal conclusion was reached.
7. A report was subsequently approved by Executive in September 2022, which identified the need for community consultation, and a focus on identifying the most appropriate location for the facility. The report stated that the Council would manage the design and build of the new facility, but a process would also need to be undertaken to appoint an organisation to run it. As there is no revenue budget available from the Council to support the running of the centre, the selected organisation would need to demonstrate a viable, sustainable business plan.
8. As a result, a consultation on the location options was conducted between December 2022 and January 2023 for a period of 6 weeks. The consultation asked members of the public to provide positive and negative feedback for both options and asked which location people would prefer.
9. A total of 369 individuals responded to the consultation, with 60% identifying a preference for the land adjacent to the GP surgery. A summary of the consultation is outlined within the below table.

Table 1 – Outcome of Public Consultation

	<u>Nunthorpe & Marton Playing Field</u>	<u>Land Adjacent to GP Surgery</u>
Positive Comments	<ul style="list-style-type: none"> • 136 people see an extension to a building, rather than a green field development as a positive 	<ul style="list-style-type: none"> • 134 people feel the use of new land and the building of a purpose-built facility as a positive

	<ul style="list-style-type: none"> • 40 people feel that the links to the existing facilities will be positive • 60 people believe this site to be accessible and in a good location • 4 people believe this location will have a positive effect on traffic • 19 people see the close proximity to housing as a positive • 18 people feel this location will provide the best parking facilities • 32 provided other general positive comments 	<ul style="list-style-type: none"> • 97 believe this location will provide the best parking facilities and not add to other parking pressures • 89 people believe the site to be accessible and in a good location • 45 people felt that this location provides a positive separation from the existing facilities • 42 people see the close proximity of the new Medical Facility as a positive • 39 people believe this location will reduce traffic congestion • 12 people see the close proximity to new housing in Nunthorpe as a positive • 62 provided other general positive comments
Negative Comments	<ul style="list-style-type: none"> • 60 people see the expansion of an existing building as a negative • 44 people feel the links to existing facilities as being a negative • 36 people believe this is not the best location / accessibility issues • 72 people believe this location will add to local traffic issues • 2 people feel the location should be linked to the Medical Centre • 5 people believe the site's proximity to housing is a negative • 128 believe this location will cause issues with parking and add to the existing pressures • 67 provided other general negative comments 	<ul style="list-style-type: none"> • 151 people believe this is not the best location / accessibility issues • 52 people believe this location will add to local traffic issues • 31 people believe the community facility should not be built on green space • 17 people believe this option will cost more and be unsustainable • 16 people believe this location causes issues with proximity to housing • 12 people believe parking in this location will be an issue • 11 people believe this option will not link well with existing facilities • 10 people believe an extension to an existing building is a better solution • 26 provided other general negative comments.
Preferred Location	Out of 350 respondents who chose to answer this question, 40% of people preferred this location.	Out of 350 respondents who chose to answer this question, 60% of people preferred this location.

10. Following the completion of the consultation, officers undertook an option appraisal which aimed to objectively consider the two locations based on several key factors that would affect whether the location would be suitable for a new facility. The outcomes of the consultation were also fed into the process to ensure the public view had a direct influence on the outcome.

11. A summary of the option appraisal is outlined within the below table.

Table 2 – Summary of Option Appraisal

Assessment Criteria	NMPFA	LA to GP Surgery	Total Potential Points
Title Report - Ownership, Permission and Covenant	250	500	500
Future Development Opportunity Considerations	50	25	50
Service Connections	100	50	100
Consequential Improvement Requirements	75	100	100

Flexibility of Construction Space	25	50	50
Environmental Desktop Site Assessment	150	200	250
Consultation			
Preferred Location	40	60	300
Statutory Considerations			
Highways Department Potential Considerations	40	50	60
Planning Department Potential Considerations	30	30	60
TOTAL SCORE	760	1065	1470

12. As with the community consultation, the option appraisal also identified the land adjacent to the GP surgery as the optimum location. The detailed information on the optional appraisal can be found within Appendix I.
13. It is therefore proposed that the preferred location for the community centre be identified as the land adjacent to the new GP Surgery, as shown on the plan in Appendix II. The estimated site requirement is around 0.7 acres.

Identifying an Appropriate Operator

14. Subject to the approval of this report, there would be an agreed site and an agreed budget in place for the development of the new community centre. Although some minor preparatory work could commence (to consider the nature of the facility and potential outline design ideas) no significant expenditure would be incurred until there is certainty that an appropriate organisation is able to operate the facility without subsidy from the Council (as no such subsidy is available). A budget of £20,000 is requested for release to facilitate sufficient design consideration to inform the process to identify an operating organisation.
15. A process would therefore be necessary to invite interested parties to put forward their plans and requirements, and a competitive process put in place to identify the most appropriate way forward. If this process were able to identify an appropriate operator that didn't require subsidy, then the project would be able to move into the formal design stage. If no such operator were to be identified, then alternative options (both in terms of location and operation) would need to be explored.
16. The conclusion of this process would be brought forward for consideration by Executive prior, to triggering any significant expenditure on the project.

Community Gardens

17. One factor that would need to be considered in taking forward the project is the proposal for a community garden in Nunthorpe. The site proposed for the community garden is currently on an adjacent site to the proposed location of the community centre off Stokesley Road. As a result, the implementation of the community garden, and the implementation of the community centre plans would need to be cognisant of each other.

18. The funding of £6,000 for the community garden has also been provided through the Town's Fund, but the implementation of it has been held up until the outcome of the community centre process was known. As a result, the recommendation to locate the new community centre on land off Stokesley Road is also accompanied by a recommendation to progress the community garden on an adjacent site in the same area.
19. The community garden would occupy a 0.5 acre plot on land owned by the Council, alongside the potential community centre site. The exact plot dimensions and location would be determined to fit around the community centre proposals but would remain in long term Council ownership regardless.
20. The work to implement the garden would be undertaken by a partnership between the Council, local community groups and volunteers, with the ongoing maintenance managed locally. The garden would comprise a number of raised beds, and appropriate paving to enable local people to engage in healthy growing and gardening activities. The proposals would also provide tools, compost and a shelter to enable the community to maintain the gardens on a long-term basis.
21. Aside from the allocation of the land, and initial works, there would be no further input or financial requirement from the Council.

What decision(s) are being recommended?

22. The option appraisal has identified the location adjacent to the GP Surgery as the preferred site for a new community facility in Nunthorpe. This also allows for the location of the community garden to be confirmed. It is therefore recommended that the Executive approves:
- a. the identification of land adjacent to the new GP Surgery at Nunthorpe as the preferred site for a new community centre;
 - b. the commencement of a process to identify an appropriate organisation to operate the new community centre, prior to any major expenditure being incurred;
 - c. the release of up to £20,000 from the budget to enable early stage design consideration to inform the identification of an appropriate organisation; and,
 - d. the allocation 0.5 acres of land owned by the Council off Stokesley Road for designation as a community garden.

Rationale for the recommended decision(s)

23. The Council has undertaken an option appraisal process to identify the most appropriate location for a new community facility in Nunthorpe, including a public consultation. The option appraisal identified the location adjacent to the new GP Surgery as the preferred site for the new facility for the following reasons:
- a. the proposed land is owned and controlled by the Council;
 - b. the proposal looks to develop a stand-alone new build solution and as a consequence will not require a proportion of the budget to be spent on required energy efficiency improvements to an existing building;
 - c. the area suggested for the new facility would provide some flexibility to adjust plans should any issues occur during construction;

- d. no significant environmental issues are present on the site that would require mitigation;
- e. the outcome of the appraisal meets that of the preferred location from the community consultation; and,
- f. provides no immediate Highways and/or Planning concerns.

24. The conclusion reached about the community centre also allows the location of the proposed community garden for Nunthorpe to be confirmed.

Other potential decision(s) and why these have not been recommended

25. There are two alternative options for Executive to consider. These are:

- a. to proceed with the second location as outlined within the option appraisal; and,
- b. not to develop a community facility in Nunthorpe.

26. It is believed that both these options would not meet the identified needs for the community and/or would be a reputational risk to the Council.

Impact(s) of the recommended decision(s)

Legal

27. The process to identify an organisation to operate the centre will be undertaken in line with the appropriate Council policy. Any subsequent construction would also follow the local authority's standard procurement processes and a competitive process will be followed to ensure value for money is obtained for design and build.

28. Land adjacent to the Medical Centre falls within the freehold title CE189247, of which the Council is the registered proprietor. If the project progresses to construction, then the Council would be required to avoid causing any obstruction to the rights granted within the transfer of land for the GP Surgery dated 5th August 2021.

Strategic priorities and risks

29. This links to the following key strategic priorities as outlined in the revised Strategic Plan:

- a. People – Working with communities and other public services in Middlesbrough to improve the lives of local people;
- b. Place – Securing improvements in Middlesbrough's housing, infrastructure and attractiveness, improving the town's reputation, creating opportunities for local people and improving our finances; and,

30. The specific milestone linked to this priority is to commence work on Nunthorpe community centre – June 2023.

Human Rights, Equality and Data Protection

31. A Level 1 (Initial Screening) Impact Assessment (IA) accompanies this report at Appendix III, and has found there to be no impact at stage one

Financial

32. The Towns Fund has identified £750,000 for the development of the community facility, which, with additional Section 106 funding, results in an overall budget of £866,000. In addition, the Council has identified a further £100,000 reflective of the increasing costs of materials since this project was initially agreed. The additional £100,000 is a fixed sum which is provided from the Council's own resources and would need adding to the Investment Strategy. The project must therefore remain within the stated allocated resources.
33. Any subsequent construction phase would be subject to an appropriate competitive tender process and the process to appoint an organisation to run the new facility will ensure not further ongoing revenue costs will fall to the Council.
34. In addition to the above funds allocated for the Community Facility, £6,000 of the wider ward initiative Town Fund Project was awarded for the creation of a Community Garden in Nunthorpe.
35. The land identified adjacent to the GP Surgery has the potential to accommodate a variety of uses, including housing. The value attached to the land if sold for housing is around £600,000 per acre (so a value of £420,000 for the community centre site, and £300,000 for the community garden site). If the Council were to develop the land for these purposes and retain the long term ownership, the land would be valued at around £300,000 per acre (so a value of £210,000 for the community centre site, and £150,000 for the community garden site). This value adjustment would need to be factored into the Council's balance sheet but would be justified on the basis of securing valuable social and community benefits. As the Council would retain the ownership of the land, the option to revert to alternative uses in the future would be retained.
36. At present the stated ambitions for housing on the Nunthorpe Grange site (of which this is part) can comfortably be accommodated on the remaining land. There are also expectations within the Local Plan around the provision of facilities and open space that would be located *somewhere* within the development. There is therefore no direct opportunity cost to locating the community centre and community garden in their proposed locations.

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
Undertake initial concept design	Peter Brewer / Nigel Carr	April 2023
Agree exact boundaries of community centre and community garden	Peter Brewer / Nigel Carr	May 2023
Procure a facility management organisation	Peter Brewer	July 2023

Appendices

1	Option Appraisal
2	Plan showing location adjacent to the GP Surgery

3	Impact Assessment
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Background papers

Body	Report title	Date
Executive	Proposal to Progress the Development of Nunthorpe Community Centre	6 th September 2022

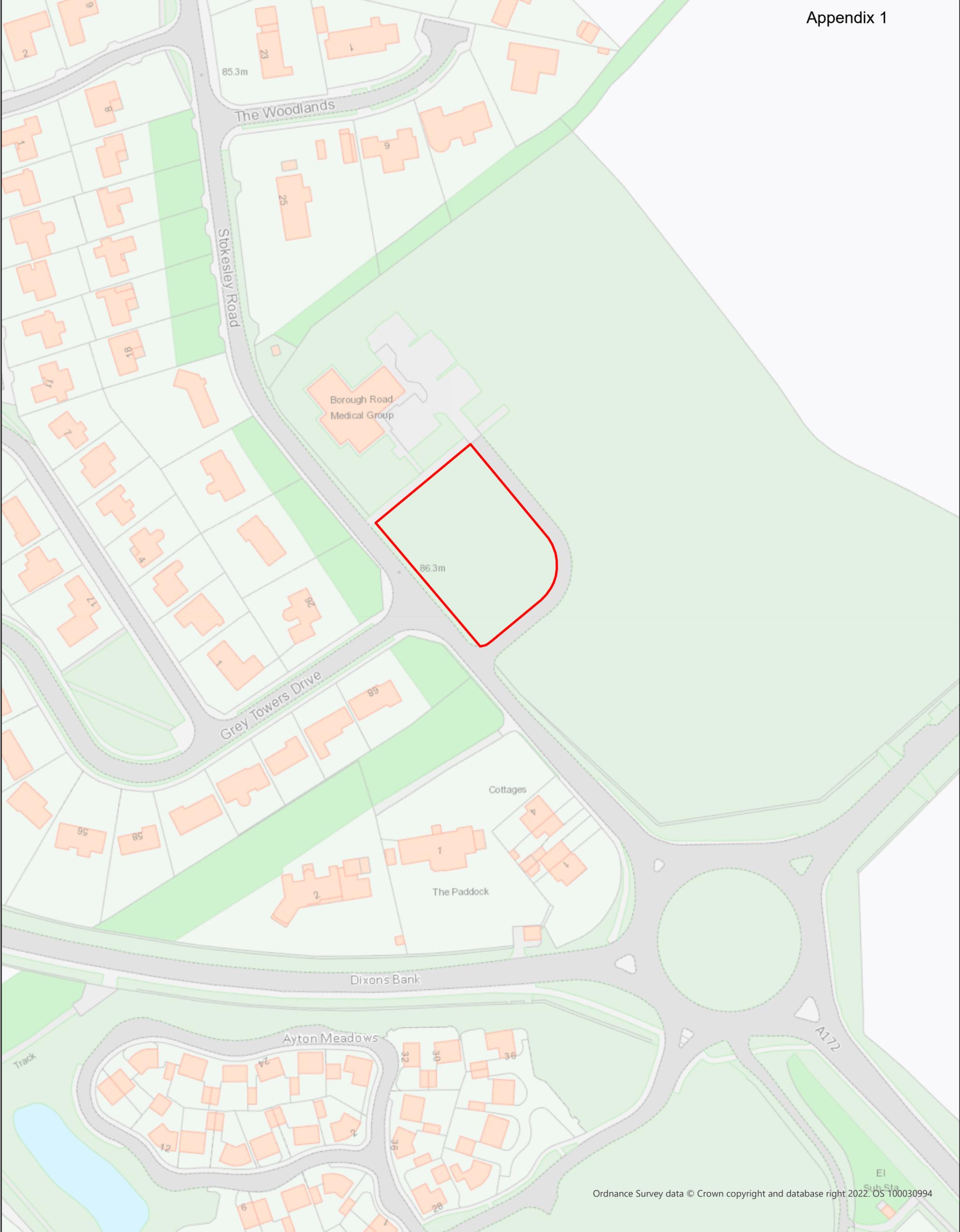
Developing a new Nunthorpe Community Facility - Appendix 1a Option Appraisal

Assessment Criteria	Description	NMPFA	LA to Medical Centre
Title Report - Ownership, Permission and Covenant	A title report is a document that outlines the legal status of a property and related information on its ownership. It is specifically designed to disclose a property's most important information including any vesting interests in the property, encroachments, easements, permissions and covenants. It is a written report provided by the Council's solicitor based upon investigations of the title of the property and a review of any searches carried with the purpose being to identify any issues that may hinder the proposed development.	Part of the Property is currently unregistered, it is therefore not possible to ascertain, from the records that HM Land Registry hold, who currently owns that part of the Property. A charitable trust is a type of unincorporated charity, it is not a legal entity in its own right and has no separate legal personality. As such, property cannot be held in the name of the charitable trust itself. Within the conveyance dated 17th February 1965, William Kirtland Hinton and Charles William Pearey were appointed as the initial trustees of the land which is the subject of the conveyance. However, it is stated within the conveyance that the trustees were to apply to the Charity Commission for the land to be vested in the Official Custodian for Charities. It is unknown as to whether an such application was ever made. If no such application was made, then the land will have continued to be held by the trustees and upon their death, the legal interest in the land will have been vested in the personal representatives of the last of the two trustees to die until new trustees were duly appointed. Enquiries could be made with NMPFA and the Official Custodian for Charities as to whether or not the land is currently vested in the Official Custodian. Conclusion There are issues regarding the ownership of, and matters affecting, the unregistered part of the Property, in that it is unclear as to whom that part of the Property is currently vested in, and a copy of the conveyance dated 26th October 1931 is required. This would need to be explored and enquiries made before the feasibility of the Property for the proposed development can be properly determined. The Lease of the part of the Property which is in the Council's ownership contains a mutual break clause which could be exercised by the Council. However, it is concern that the current leasehold proprietors are not current trustees of the NMPFA. Regardless of the selection of the Property for the proposed development, enquiries should be made as to whether the leasehold proprietors are still connected with the NMPFA. Full Legal Title Report will be issued on 17th January 2023.	The Property falls within the freehold title CE189247, of which the Council is the registered proprietor. If the Property is selected for the proposed development, the Council should be wary not to cause any obstruction to the rights granted within the transfer dated 5th August 2021 such as the right to use the Access Road and Access Path and any Service Media laid under the Property and also to continue to observe and perform its obligations in respect of the maintenance and repair of the Access Road and Access Path and the covenant not to cause any interruption in the continuous use of the same and any Service Media at the Property. It should be considered as to what use the Council has currently allocated or designated the Property for and the purpose for which it is held. An appropriation of the Property following the procedure in s.122 of the Local Government Act 1972 may be followed for the development of the Property if it is not currently allocated for planning purposes. However, if it is presently allocated for planning purposes then the procedure in s.232 of the Town and Country Planning Act 1990 would need to be followed. In either scenario a decision record should set out which procedure is being followed. If the Property is considered to be 'open space' then any appropriation will be subject to advertising requirements. Full Legal Title Report will be issued on 17th January 2023.
Future Development Opportunity Considerations	Officers have considered each location and have identified any potential alternative uses for the land.	Land is within private ownership. It is unlikely the Council would propose any alternative uses for this land, but the owner could in the future utilise this space for expansion of existing services.	Land is currently identified as a housing development site within the Local Plan. This land is within the ownership of the Council. If considered for housing the proposed location could possibly generate an initial capital receipt and ongoing Council Tax revenue for the Council. Area could be utilised to provide Community Garden space.
Service Connections	Working with Engineering Department, officers have identified any potential service connection considerations. (Water, Electricity, Gas, Drainage, Telephone and Wi-Fi).	Site is likely to already be connected to the required services. Further works will be required to check capacity but is likely to cause less of an impact upon the available budget.	New service connections would be required for this location. A proportion of the available budget would be required to connect this location which is likely to be more expensive than if the location was already connected.
Consequential Improvement Requirements	Consequential improvements refer to energy efficiency improvements that are consequential to changes to a building, which are required by regulation 28 of the Building Regulations to make the whole building comply with Part L of the Building Regulations. Where improvements or extensions are proposed to existing building stock, additional consequential improvements such as those listed below could be required: - Upgrading heating, cooling or air handling systems. - Upgrading lighting systems. - Installing energy metering. - Upgrading thermal elements. - Replacing windows. - On-site energy generation.	The previous proposals outlined an extension to the existing facilities. Due to the nature of the development, a proportion of the available budget would be required to improve the existing building, meaning less will be spent on providing new community space. Alternative solution to develop upon land currently occupied by Tennis provision has also been identified to provide a stand alone new build. This would not require any consequential improvements.	As this option is proposing a stand alone new build, no consequential improvements would be required.
Flexibility of Construction Space	Assessed to see if location provides the opportunity for future expansion requirements. Also considerations taken with regards to the flexibility of adjusting proposed plans should any issues occur once construction has started.	The location looks to expand an existing facility with a specified area for a new community facility. Due to existing services and sporting facilities it is unlikely additional space within the current boundary could accommodate a future expansion to the community facility. Any expansion would either result in the loss of existing facilities or the need for additional land. The area suggested for the extension to the existing building would provide little to no flexibility to adjust plans should any issues occur during construction.	This location offers an area of greenspace for a new build facility. It is likely the location will provide the land required to support future expansion. The area suggested for the new facility would provide some flexibility to adjust plans should any issues occur during construction.
Environmental Desktop Site Assessment	Legal Services have commissioned desktop environmental searches from Landmark. This offers a site-specific, fast and accurate environmental assessments to help make informed decisions on land condition and regeneration. The report is the industry-standard desk study report, containing current and historical information, covering a comprehensive range of environmental risks.	No significant contaminant linkage has been identified and any liabilities from contaminated land are unlikely. A screening of potential flood risks has identified an elevated risk of flooding. A screening of Energy & Infrastructure projects has identified a project/s at or close to the property. The property is not considered to be within a radon affected area. No Environmental Constraints have been identified within 250 metres of your property.	No significant contaminant linkage has been identified and any liabilities from contaminated land are unlikely. We have not identified an elevated flood risk at your property. A screening of Energy & Infrastructure projects has identified a project/s at or close to the property. The property is not considered to be within a radon affected area. No Environmental Constraints have been identified within 250 metres of your property.
Consultation			
Positive Comments	The consultation asked respondents to provide details of what they believed to positives for each option.	The online survey produced a word cloud which identified key words used when responding to this question. These included: - Established - Community - Central - Existing Summary of some key comments included: - This location is more central and easily accessible for many residents - An existing facilities with capacity to grow and accommodate more activities - Will help to promote existing community activities. Bringing together older members of the community to offer support and knowledge to the younger generation. - Safe established access with existing parking facilities In summary the consultation identified the following positive response: 136 people see an extension to a building, rather than a green field development as a positive 40 people feel that the links to the existing facilities will be positive 60 people believe this site to be accessible and in a good location 4 people believe this location will have a positive effect on traffic 19 people see the close proximity to housing as a positive 18 people feel this location will provide the best parking facilities 32 provided other general positive comments	The online survey produced a word cloud which identified key words used when responding to this question. These included: - Parking - Community - Access - Space Summary of some key comments included: - Provide an opportunity for a purpose built facility - No constraints of size and could provide room for future expansion - Located next to Medical Centre with the ability to link health to the community - Accessible from several arterial roads with space for parking. Reduces congestion and parking issues on Guisborough Road In summary the consultation identified the following positive response: 134 people feel the use of new land and the building of a purpose built facility as a positive 97 believe this location will provide the best parking facilities and not add to other parking pressures 89 people believe the site to be accessible and in a good location 45 people felt that this location provides a positive separation from the existing facilities 42 people see the close proximity of the new Medical Facility as a positive 39 people believe this location will reduce traffic congestion 12 people see the close proximity to new housing in Nunthorpe as a positive 62 provided other general positive comments
Negative Comments	The consultation asked respondents to provide details of what they believed to negatives for each option.	The online survey produced a word cloud which identified key words used when responding to this question. These included: - Parking - Traffic - Guisborough Road - Existing Summary of some key comments included: - Disruption to existing facilities during construction - Existing site cars already end up spilling out from the car park and causing a problem on Guisborough Road - Conflict with existing facilities and members - Proposed location may need to use some of the land allocated to the playing fields, as expected when land was donated. In summary the consultation identified the following negative response: 60 people see the expansion of an existing building as a negative 44 people feel the links to existing facilities as a negative 36 people believe this is not the best location / accessibility issues 72 people believe this location will add to local traffic issues 2 people feel the location should be linked to the Medical Centre 5 people believe the site proximity to housing as a negative 128 believe this location will cause issues with parking and add to the existing pressures 67 provided other general negative comments	The online survey produced a word cloud which identified key words used when responding to this question. These included: - Traffic - Access - Stokesley Road - Location Summary of some key comments included: - Not well located for pedestrian and public transport access - Not particularly central to Nunthorpe, moving the focus away from the traditional centre by the railway station and shops - More development on a greenfield site instead or redevelopment of existing facilities - Building management and security In summary the consultation identified the following negative response: 151 people believe this is not the best location / accessibility issues 52 people believe this location will add to local traffic issues 31 people believe the community facility should not be built on green space 17 people believe this option will cost more and be unsustainable 16 people believe this location causes issues with proximity to housing 12 people believe parking in this location will be a issue 11 people believe this option will not link well with existing facilities 10 people believe an extension to an existing building is a better solution 26 provided other general negative comments.
Preferred Location	The consultation asked respondent to choose which location they would prefer.	Out of 350 respondents who chose to answer this question, 40% of people preferred this location.	Out of 350 respondents who chose to answer this question, 60% of people preferred this location.
Statutory Considerations			

<p>Highways Department Potential Considerations</p>	<p>The proposals seek to provide a community facility. The location of the facility should seek to maximise journeys by non-car modes in order to be sustainable. Reducing car based travel will reduce congestion, demand on car parking, lead to a higher quality development, reduce land take and be consistent with council and national planning and transport policies and strategies. Considerations will include;</p> <p>Pedestrian Access - Number of residences falling within 400m of proposed site. 400m represents a radius from the centre of each site and as such the greater number of residences within this catchment increases the number of residents within a short walk of the facilities.</p> <p>Public Transport - Distance to adjacent bus stops and the frequency/number of services served from them. The closer the site is to high frequent public transport the greater the catchment area by non car modes for the facility, particularly for residents who may not have access to a car.</p> <p>Car Parking - Available space for car parking and the associated risk and impact arising from displaced car parking.</p>	<p>Pedestrian Access Based upon a 400m radius there are circa 215 properties within walking distance of the proposed site. A footway exists only on the Northern side of Guisborough Road (opposite side to the development) Pedestrians have to walk in the vehicular access/car park access. Works will be required to facilitate ped access.</p> <p>Public Transport Eastbound and Westbound bus stops exist on Guisborough Road. These stops are immediately adjacent to the site and no further than 60m away from the site access. The stops are served by 2 bus services providing a 30min frequency service.</p> <p>Car Parking Vehicular access is taken from Guisborough Road via an existing junction serving the NMPFA. The site has an existing car park which serves the site which would also serve any new facility. Anecdotal evidence is that this is already heavily subscribed and as such it is possible that an extension to car parking would be required. Displaced parking would be likely to occur on Guisborough Road as the closest alternative.</p>	<p>Pedestrian Access Based upon a 400m radius there are circa 302 properties within walking distance of the proposed site. A footway exists only on the Eastern side of Stokesley Road (opposite side to the development) An uncontrolled crossing point (dropped kerbs and tactile paving) leads to the site via a traffic free ped/cycle route.</p> <p>Public Transport Northbound and Southbound bus stops exist on Stokesley Road. These stops are circa 130m of the site. The stops are not served by any regular public services.</p> <p>Car Parking Vehicular access is taken from Stokesley Road via the new access serving the Medical Centre. A new car park would need to be constructed to serve the proposed community centre which would solely serve the facility. Displaced parking would be likely to occur on the internal access road as the closest alternative.</p>
<p>Planning Department Potential Considerations</p>	<p>Local Plan Considerations/National Planning Policy/Other planning considerations</p> <p>General considerations Policy C54 requires all development to contribute to achieving sustainable development principles. This includes ensuring everyone has access to community facilities and being located so that services and facilities are accessible on foot, bicycle or by public transport. The proposed development would assist in improving access to community facilities within Nunthorpe and is located on the 28, 28A and 29 bus routes and in close proximity to bus stops.</p> <p>Policy C55 and DC1 collectively require all development proposals to demonstrate a high quality of design in terms of layout, form and contribution to the character and appearance of the area. No details of the design of the proposed development are available at this stage.</p> <p>Policy DC1 also requires that the effect upon the surrounding environment and amenities of occupiers of nearby properties will be minimal. It is considered that subject to high quality design, and appropriate layout within the site that there would not be a detrimental impact on the amenities of residential dwellings on the northern side of Guisborough Road. Dependent on the precise location within the site consideration should be given to any potential impact on dwellings to the east of the site. With regard to the effect upon the surrounding environment, as set out above in relation to Policy E7 consideration should be given to the impact of the proposals on views and vistas from Guisborough Road towards the countryside to the south.</p> <p>Policy DC1 and CS19 require that development proposals do not have a detrimental impact upon road safety. Policy CS17 requires that development should be located where it will not have a detrimental impact upon the operation of the strategic transport network and Policy CS18 requires that development proposals incorporate measures to improve transport options. These issues would need to be considered once the scale and design of the development are known.</p> <p>The proposed development should be considered against the requirements of the Nunthorpe Design Statement. Policy C1 seeks improvements to community facilities and socially and environmentally sustainable community buildings. The proposed development would assist in improving provision of community buildings. Policy D5 requires extensions to reflect the scale, detailing and materials of the parent building. Policy G2 seeks to resist the removal or reduction of open space that currently makes a positive contribution to Nunthorpe. Further details of the scale, design and precise location of the proposed development would be required in order to assess compliance with Policies D5 and G2.</p>	<p>The northern section of the Marton & Nunthorpe Playing Fields Association site is designated as Primary Open Space (POS) in the adopted Development Plan. The southern section of the site forms part of the residential allocation at Nunthorpe Grange. As the proposal is described as an extension of the existing building, it is assumed that the proposed development will be located within the northern section of the site as shown on the Nunthorpe Community Facility consultation leaflet. This response has been prepared on the basis that all of the proposed development will be within the part of the site designated as POS.</p> <p>Policy H1 requires that development is located within the urban area where it is accessible to the community that it serves. The proposed development is within the urban area as defined by the Limit to Urban Development and is in an accessible location.</p> <p>Policy E7 advises that land identified on the proposals map as POS will be safeguarded from development. The Policy allows exceptions to this, where the development complements the function of the open space or is of over-riding benefit to the community as a whole provided it would not result in the significant loss of specified types of open space. These types of open space include:</p> <ul style="list-style-type: none"> • open space necessary for meeting existing needs or suitable for meeting future needs or deficiencies for open space or outdoor sports and cannot be satisfactorily replaced by alternative provision elsewhere; and • open space of significant visual or landscape value, in its own right, or as a setting for existing buildings, or forming part of a significant view or vista or complementing a major transport route. <p>The NPPF similarly requires that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:</p> <ol style="list-style-type: none"> a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. <p>The proposed community centre is considered to be of over-riding benefit to the community as a whole. The precise location and extent of the footprint of the proposed development has not been provided. If the building were to be proposed on the sports pitch part of the site (as opposed to the car park / built up part of the site) it would be necessary to demonstrate that the open space is surplus to requirements and to consider whether it could be used to meet any deficiencies in other types of open space use. For example, the Open Space Needs Assessment identified a shortage of Youth Activity Areas in Nunthorpe.</p> <p>Adjacent land to the south of the Marton & Nunthorpe Playing Fields Association site is allocated for residential development in the Development Plan. Informal design guidance for the residential site, set out in the Nunthorpe Grange Design Code provides a masterplan for the future development of the adjacent site. The masterplan indicates that land south of the playing fields should remain as open space to enable views to the countryside beyond. Consideration should be given to whether the proposed development would have a detrimental impact on open space that forms part of a significant view or vista, as required by Policy E7.</p> <p>Conclusion Insufficient information has been provided on whether the proposed building is to be located within the built up part of the site or would extend into the sports pitch area of the site. Subject to the building not encroaching onto the sports pitches it is considered that the principal of development accords with the Development Plan Policies. If the development encroaches into the sports pitch area the proposed development would be contrary to Policy E7 of the Local Plan and the NPPF unless an assessment is undertaken to demonstrate that the open space is surplus to requirements and could not be used to address deficiencies in other types of open space provision.</p>	<p>The site is allocated for residential development in the adopted Development Plan by Policies H1, H10, H11, H29 and H31. The site is part of a larger site allocated for a maximum of 250 predominantly three and four bedroom dwellings and a 15% off-site affordable housing contribution. The Policies do not prevent other uses coming forward, although land developed for other uses could reduce the number of dwellings deliverable on the remainder of the allocated site, with a subsequent reduction in the level of affordable housing contribution</p> <p>Informal development guidance for the site is set out in the Nunthorpe Design Code. This guidance envisages that the site will be developed for housing.</p> <p>Conclusion The proposed development is not in accordance with the Development Plan as the site is allocated for residential development. The Development Plan Policies, however, do not restrict the development of non-residential uses and the proposed development will need to be assessed on its individual planning merits.</p>

Developing a new Nunthorpe Community Facility - Appendix 1b Option Appraisal

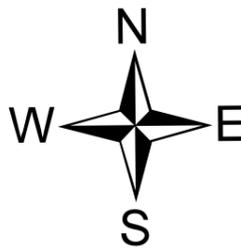
Assessment Criteria	NMPFA	LA to Medical Centre	Total Potential Points	Notes
Title Report - Ownership, Permission and Covenant	250	500	500	Legal Services will complete searches and produce a report on title. Report will identify any legal issues for development within the redline areas. If an option scored 0pts for this criteria, it fails and is not scored further.
Future Development Opportunity Considerations	50	25	50	Need to consider if proposed land could be used for alternative functions, such as Housing, Community Garden, other Community Facilities, etc. Higher score indicate less opportunity for other uses. Total of 50pts.
Service Connections	100	50	100	Ease of accessing and cost implication for services such as Water, Gas, Electric, WIFI etc. Major impact upon budget to score 0pts, moderate to minor impact upon budget to score 50pts and minor to no impact on budget to score 100pts.
Consequential Improvement Requirements	75	100	100	Consequential improvements are required when developing onto an existing building and will need to be factored into the overall budget. i.e. Energy Efficiency upgrades. Yes or No - No will score 100pts and Yes will score 0pts
Flexibility of Construction Space	25	50	50	A large cleared site could provide flexibly with construction, whereby a small specific location will leave potentially no room for adjustments during construction. It will also look to consider future expansion space. Flexible to score 50pts, minor to moderate constraints will score 25pts and no flexibility to score 0pts.
Environmental Desktop Site Assessment	150	200	250	50 pts per section passed without potential constraints
Consultation				
Preferred Location	40	60	300	Score to reflect the % from the consultation responses. Example, 54% prefer location Z, it will score 54pts.
Statutory Considerations				
Highways Department Potential Considerations	40	50	60	Scoring is based on the locations potential for car parking, risk of displacement of car parking, pedestrian access, and public transport links. Potential of 20pts for each element totalling to a maximum score of 60pts.
Planning Department Potential Considerations	30	30	60	Assessed against current planning documents, taking into account place making and potential future developments. Total of 60pts available.
	760	1065	1470	



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Land Adjacent to Nunthorpe Medical Centre	
Service Area: Planning	
Map Reference:	Scale: 1:1250@A4
Map created by: J Manders	Date - 15/11/22
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Appendix 3 - Impact Assessment Level 1: Initial screening assessment

Subject of assessment:	Developing a new Nunthorpe Community Facility			
Coverage:	Crosscutting			
This is a decision relating to:	<input type="checkbox"/> Strategy	<input type="checkbox"/> Policy	<input type="checkbox"/> Service	<input type="checkbox"/> Function
	<input type="checkbox"/> Process/procedure	<input type="checkbox"/> Programme	<input checked="" type="checkbox"/> Project	<input type="checkbox"/> Review
	<input type="checkbox"/> Organisational change	<input type="checkbox"/> Other (please state)		
It is a:	New approach:	<input checked="" type="checkbox"/>	Revision of an existing approach:	<input type="checkbox"/>
It is driven by:	Legislation:	<input type="checkbox"/>	Local or corporate requirements:	<input checked="" type="checkbox"/>
Description:	<p><u>Key aims, objectives and activities</u> To assess the impact of the proposal to deliver a new Community Facility in Nunthorpe.</p> <p><u>Key stakeholders and intended beneficiaries (internal and external as appropriate)</u> The proposals are based upon the desire to assist the areas to secure the social and economic regeneration of the community for the benefit of local residents.</p> <p><u>Intended outcomes</u> To support the requirements of the local community whilst meeting the aims and objectives of the Council.</p>			
Live date:	March 2023			
Lifespan:	20 Years			
Date of next review:	Not applicable			

Screening questions	Response			Evidence
	No	Yes	Uncertain	
<p>Human Rights</p> <p>Could the decision impact negatively on individual Human Rights as enshrined in UK legislation?*</p>	☒	☐	☐	<p>It is considered that the project will not impact negatively on individual human rights as the proposal represents a significant and positive enhancement for the local and wider area.</p> <p>Middlesbrough Council understands the importance of delivering improvements to our residents' communities and how the physical environment can impact on quality of life.</p> <p>This ethos of this project underpins the requirement of being as effective as possible, to support sustainable growth in Middlesbrough's communities and economy</p>
<p>Equality</p> <p>Could the decision result in adverse differential impacts on groups or individuals with characteristics protected in UK equality law? Could the decision impact differently on other commonly disadvantaged groups?*</p>	☒	☐	☐	<p>The Council has a duty to consider the impact of the proposed decision on relevant protected characteristics, to ensure it has due regard to the public sector equality duty. Therefore, in the process of taking decisions, the duty requires the Council to have due regard to the need to:</p> <ul style="list-style-type: none"> a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. <p>It is considered that the proposed project will not have a disproportionate adverse impact on a group, or individuals, because they hold a protected characteristic.</p>

* Consult the Impact Assessment further guidance appendix for details on the issues covered by each of these broad questions prior to completion.

Screening questions	Response			Evidence
	No	Yes	Uncertain	
<p>Community cohesion</p> <p>Could the decision impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town?*</p>	☒	☐	☐	<p>There are no concerns that the proposal could have an adverse impact on community cohesion.</p> <p>The decision to deliver the projects will provide a positive impact on relationships between different groups.</p>
<p>Next steps:</p> <ul style="list-style-type: none"> ➤ If the answer to all of the above screening questions is No then the process is completed. ➤ If the answer of any of the questions is Yes or Uncertain, then a Level 2 Full Impact Assessment must be completed. 				

Assessment completed by:	Peter Brewer	Head of Service:	Steve Fletcher
Date:	14/02/2023	Date:	14/02/2023

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Procedure for Call-in Requests at OSB

1. Once a valid call-in request has been received, a meeting of the Overview and Scrutiny Board must be held to consider the matter.
2. The procedure shall be as follows:

Agenda:

The agenda for the meeting shall include a report, or a set of reports, which will include the following:

- (a) The procedure to be followed, including an explanation of the courses of action open to the committee.
 - (b) Details of the call-in request and any additional written material the members making the call-in wish to submit for consideration.
 - (c) Details of the decision, which shall include:
 - A copy of the original report or other papers considered by the Executive (or other decision maker) when the decision was made.
 - A copy of the minutes of the meeting where the decision was made.
 - (d) A copy of any written information provided by the decision maker, in response to the points raised in the call-in request.
3. Procedure to be followed in the meeting:
 - 3.1. Once the Chair has opened the meeting, a note will be taken of the members present at the meeting. Any member who arrives after the call-in signatories have started their presentation may not vote on the call-in, although they may take part in the discussion. If there is a very low turnout, or if the Chair has been made aware that other members are on their way but have been delayed, they may, at their discretion, delay the start of the meeting to allow time for members to arrive.
 - 3.2. It should be noted that no party whip should be applied to call-in meetings and any member who has been subject to a party whip in respect of the matters being considered must declare it in accordance with Paragraph 15 of the Scrutiny Procedure Rules.
 - 3.3. The Chair will outline the Procedure to be followed.
 - 3.4. The Proposer – the first named member who called-in the decision will then be asked to explain why the decision has been called-in and what should be reviewed. The members making the call-in shall be allowed up to 15 minutes in total to present their case. It shall be up to them to determine how they wish to use their time, they may ask one speaker to speak or share the time among several speakers/witnesses as they see fit. (Maximum 15 minutes).

- 3.5. The Executive Member and the service department will have the opportunity to ask factual questions of the Member who called in the decision(s) and the witnesses (Maximum 5 minutes).
- 3.6. The relevant Executive Member will explain the background to the decision(s). The Executive Member must speak first (unless the decision that has been called in was made by an officer under delegation), The Executive member may then call on officers to deal with matters of detail. (Maximum 15 minutes).
- 3.7. The Proposer – the first named Member who called in the decision(s) will have the opportunity to ask factual questions (Maximum 5 minutes).
- 3.8. Members of the Overview and Scrutiny Board (OSB) will have the opportunity to question all parties. Requests to speak should be made through the Chair. It shall be up to the Chair to decide whether to allow people to speak and how many speakers will be allowed.
- 3.9. Following questioning, both parties may make closing submissions (5 minutes each), commencing with the Executive Member, then the Member submitting the call in. After closing submissions, no further representations will be heard.
- 3.10. The Chair should then clearly indicate that the floor is open for debate and invite members to discuss and examine the main issues. Members may ask further questions of the members making the call-in or the decision makers, or any other people present at the meeting, during the debate. The members making the call-in and the decision maker will not normally speak during the debate, except to answer questions.
- 3.11. When the Chair considers that the matter has been debated for a reasonable length of time, the Chair will invite the committee members to vote on whether the decision should be referred back and what the reasons for this are. The committee may also agree any comments or recommendations it would like the decision maker (or Council) to consider.
- 3.12. Following the completion of discussions on the Call-in request, the Overview and Scrutiny Board has a number of courses of action available:
 - i. To refer the decision back to the Executive/Executive Sub-Committee/Executive Member/Officer for reconsideration. In that case, OSB should set out in writing the nature of its concerns about the decisions.
 - ii. To determine that it is satisfied with the decision making process that was followed and the decision that was taken by the Executive/Executive Sub-Committee/Executive Member/Officer. In that event, no further action would be necessary and the Executive decision could be implemented immediately

- iii. Request that the decision be deferred (adjourned) until the Overview and Scrutiny Board has received and considered any additional information/evidence required to make a decision with regard to the Call-In from other witnesses not present at the committee. (The Committee need to clearly identify the relevant issues that need to be given further consideration and whether there are any specific time constraints or other implications affecting the proposed implementation of the decision.)
- iv. Take no action in relation to the Called-In decision but consider whether issues arising from the Call-In need to be added to the Work Programme of any existing or new Overview and Scrutiny Standing Panel/OSB. (*The Committee need to clearly identify the issues to be added to the Work Programme.*)
- v. If, but only if (having taking the advice of the Monitoring Officer and/or the Chief Finance Officer), the Committee determines that the decision is wholly or partly outside the Budget and Policy Framework refer the matter, with any recommendations, to the Council after following the procedure in Rule 8 of the Budget and Policy Framework Procedure Rules. Only in this case is there a continuing bar on implementing the decision.

3.13. The Chair will confirm the OSB's decision.

- ii) If members vote not to refer the decision back at this stage, the call-in is ended. The matter will not be referred back and the original decision may be implemented.
- iii) Even though members have decided not to refer the decision back for reconsideration they may still decide to refer issues of concern arising from the call-in to the Executive, officers, a committee, or Council, or any other body they consider appropriate, for consideration.
- iv) If members vote in favour of referring the matter for reconsideration, the decision will normally be referred directly back to the decision maker.
- v) A written report, detailing OSB's decision and the reasons for it, will be prepared and made available to all Council Members by e mail.
- vi) Where OSB refers a decision back to the decision maker, it shall be reconsidered by the decision maker within 10 working days.

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