

<b>REPORT TO:</b>		Council	
<b>DATE:</b>		15 September 2016	
<b>REPORT OF:</b>		Cllr Abdul Khan, Chair of the Resources Overview and Scrutiny Committee	
<b>REPORT AUTHOR:</b>		Overview and Scrutiny Officer	
<b>TITLE OF REPORT:</b>		Outcome of the Call-In of the Cabinet decision on the Rhyddings Park Heritage Lottery Bid (Sequoia Tree)	
<b>EXEMPT REPORT (Local Government Act 1972, Schedule 12A)</b>	<b>No</b>	Not applicable	
<b>KEY DECISION:</b>	<b>No</b>	If yes, date of publication:	

## 1. Purpose of Report

- 1.1 To inform Council of the outcome of the Extraordinary Meeting of the Resources Overview and Scrutiny Committee to consider the Call-In of the Cabinet decision on the Rhyddings Park Heritage Lottery Bid (Sequoia Tree).

## 2. Recommendations

- 2.1 That Council notes that the Resources Overview and Scrutiny Committee released the decision in full for implementation.
- 2.2 That Council notes that, as the decision was released in full for implementation, a response from the decision maker (Cabinet) is not required.

## 3. Reasons for Recommendations and Background

- 3.1 The Council's Constitution, Part 4, C14(g) states that:

Details of all decisions called in by overview and scrutiny committees and the decision makers response to them shall be reported to the next meeting of the Council for information.

- 3.2 At its meeting on 20<sup>th</sup> July, Cabinet considered the following item "Rhyddings Park Heritage Lottery Bid". The report related specifically to the sequoia tree which had been discussed in previous reports to Cabinet and Council. Cabinet made the following decision:

“That bearing in mind the long-term future of the sequoia tree and Park in general, the tree be removed and the landscape plan as originally agreed by the National Heritage Lottery Board be continued with.”

- 3.3 In accordance with the Call-In procedure for Cabinet decisions, the procedure was activated on 1<sup>st</sup> August 2016 by two members of the Resources Overview and Scrutiny Committee. The Call-In was sponsored by Councillor Judith Addison. Several reasons were given for the Call-In. Full details are provided in the Call-In Form, which was included with the agenda for the Resources Overview and Scrutiny Committee on 11<sup>th</sup> August along with the minutes of the Cabinet meeting. They can be found here <http://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=132&MId=2157&Ver=4>
- 3.4 Councillor Judith Addison presented the reasons for the Call-In to the Committee. Councillor Ken Moss, Portfolio Holder for Education, Leisure and Arts; and the Acting Head of Community Services presented their reasons for the original decision, and responded to some of the points made on the Call-In.
- 3.5 The Chair invited the Committee and members of the public present to ask questions of the Portfolio Holder and the Acting Head of Community Services and responses were given to the following issues / concerns raised:-
- Consultation and Period Undertaken
  - Contents and Outcome of Consultation
  - Vista and Facilitation of Landscape Improvements
  - Flooding and Drainage
  - Damage to Tree and Future Maintenance Costs
  - Current and Proposed Number of Trees in Park
  - Views of Friends of Rhyddings Park and Residents
  - Petition Submitted to Council
  - Bat Survey
  - Tree Replacement
  - Reuse of Sequoia Tree Wood as Part of Improvement Scheme
- 3.6 Councillors Judith Addison and Ken Moss were then given the opportunity to sum up before the committee made their decision.
- 3.7 The Committee released the decision in full for implementation. The Committee also suggested that Cabinet considers using some of the wood from the sequoia tree for part of the improvement scheme in the park.

#### **4. Alternative Options considered and Reasons for Rejection**

- 4.1 To release the Cabinet decision in part for implementation and refer the outstanding part of the decision back to the decision making body for reconsideration, setting out in writing the nature of its concerns – This was rejected as the Call-In related to a very

specific decision (the felling of the sequoia tree) so the Committee felt that there was no option to release the decision in part.

- 4.2 To refer the decision back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns. The decision maker shall then reconsider amending the decision or not, before adopting a final decision – This was rejected as the Committee were satisfied with the reasons for the original cabinet decision.

## 5. **Consultations**

- 5.1 The Sponsor of the Call-In, Portfolio Holder and Head of Service provided information for the Committee.

## 6. **Implications**

<b>Financial implications (including any future financial commitments for the Council)</b>	Not applicable to this report.
<b>Legal and human rights implications</b>	Not applicable
<b>Assessment of risk</b>	Not applicable
<b>Equality and diversity implications</b> <i>A <a href="#">Customer First Analysis</a> should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	Not applicable

## 7. **Local Government (Access to Information) Act 1985:** **List of Background Papers**

- 7.1 Agenda, reports and minutes of the Resources Overview and Scrutiny Committee on 11<sup>th</sup> August 2016  
<http://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=132&MId=2157&Ver=4>

Agenda, reports and minutes of Cabinet on 31<sup>st</sup> August 2016  
<http://democracy.hyndburnbc.gov.uk/ieListDocuments.aspx?CId=133&MId=1075&Ver=4>