

Time commenced - 5.30pm
Time finished - 5.55pm

SCRUTINY MANAGEMENT COMMISSION 20 OCTOBER 2003

Present: Councillor Smalley (in the Chair)
Councillors Bayliss, Bolton, Graves, F Hussain, Jones,
Latham, Lowe, Repton, Travis, Wynn

45/03 Apologies for Absence

Apologies for absence were received from Councillor Brown.

46/03 Late Items Introduced by the Chair

The Chair referred to Councillor Brown being unwell and the Commission wished him a speedy recovery.

47/03 Declarations of Interest

There were no Declarations of Interest.

48/03 Call-In

Sale of land at Wood Road/Wayfaring Road, Oakwood.

In accordance with Overview and Scrutiny Procedure Rule OS36 the Monitoring Officer called in for Scrutiny the decision made by Council Cabinet in respect of the sale of land at Wood Road/Wayfaring Road, Oakwood, at their meeting held on 7 October 2003.

The request for Call-In had been made by Councillors Baxter, Wynn and Roberts. The Commission were provided with a copy of the letter requesting the call-in. This was attached to the initial report considered by Council Cabinet on 7 October 2003. The letter stated that the Council Cabinet had failed to take the decision in accordance with Article 13, namely proportionality, due consultation and the taking of professional advice from Officers and a record of what options were considered and giving reasons for the decision or where relevant issues do not appear to have been taken into consideration. Councillor Wynn stated that proportionality was a significant consideration. He referred to Planning Policy L2 and felt there was a reluctance to give up open space in the Oakwood area. There was currently consultation being carried out on significant loss of public open space in the Alvaston area.

In relation to 'due consultation and the taking of professional advice from Officers' Councillor Wynn reported that there was a shortage of houses to let in the area and that it was appropriate to provide more social housing. He stated that there were two objections to the planning application. Councillor Latham stated that she had put an

objection into the Planning Committee quoting Planning Policy L3. There were 10,000 people in the Oakwood area with only 38 hectares of open space. The land in question was a relatively small piece of land and residents in the area were concerned about traffic problems, which may be caused if the houses were built. She stated that there had not been sufficient consultation with the local community as statutory consultation had taken place this was only to properties within four metres of the affected land. The Ward Members for Oakwood had done a survey of local residents who were concerned about the density of the development, traffic and design. Residents were particularly concerned about the archway design with doors on the inside and they felt this could 'design in' crime. She felt in relation to proportionality that it was not appropriate to compare this piece of land with the land being used for the Alvaston By-pass. The local residents were overwhelmingly against the proposals for the site.

Councillor Bayliss felt there was a major problem with proportionality and stated that there was a need for housing in this particular area. It was a relatively small number of houses which were being proposed.

Councillor Graves added that he felt there was insufficient evidence/paperwork circulated on this call in. He was concerned that the cabinet member was not at the meeting to answer questions and that he felt more information was required to make a proper decision.

Councillor Bolton spoke in support of the call in letter. She felt there was need for low cost housing to be provided in various areas of the city and if this land was available in Oakwood then affordable housing should be provided. She referred to the number of people in Derby being on waiting lists for affordable housing.

Councillor Repton added that this particular application was for eight houses on an estate of 10,000 houses. He referred to the cost of renting two-bedroom starter homes being in the region of £450 - £700 per month. This was unaffordable to a lot of people. Councillor Travis asked why the land at Wood Road/Wayfaring Road, Oakwood was surplus to requirements by the Community and Housing Strategy Team.

Councillor Smalley was concerned that there was no consultation on the original application. He stated that in respect of 'a record of what options were considered and giving reasons for the decision or where relevant issues do not appear to have been taken into consideration' had clearly been covered in the report considered by Council Cabinet. He referred to the Call In letter paragraph 'b' 'due consultation and the taking of professional advice from Officers' which stated that there had been no objections from the public in the local area to Wood Road and Wayfaring Road in respect of the sale of this land. He reported that there were two objections, one from Councillor Latham and one from a member of the public who had spoken on the objection at the Planning Control Committee.

Resolved to recommend Council Cabinet to reconsider its decision in light of the concerns set out in the Call-In letter.

Chair of the next ensuing meeting at which these minutes were signed