

MAYOR AND CABINET		
Report Title	Call-in of Mayor & Cabinet Decision – New Bermondsey (Formerly Surrey Canal Triangle) Proposed Compulsory Purchase Order	
Key Decision	Yes	Item No. 4
Ward	All	
Contributors	Chair of Overview and Scrutiny Business Panel	
Class	Part 1	Date: 28 September 2016

1. Summary

This report informs the Mayor and Cabinet of a call-in and associated comments agreed by the Overview & Scrutiny Business Panel on 20 September 2016 in accordance with Paragraph 14 of the Overview and Scrutiny Procedure Rules.

2. Purpose of the Report

To inform the Cabinet of the reasons agreed for the call-in and to ask the Cabinet to reconsider a decision made on “New Bermondsey (Formerly Surrey Canal Triangle) Proposed Compulsory Purchase Order”.

3. Recommendation

The Cabinet is requested to respond to the call-in made by the Overview & Scrutiny Business Panel as described in paragraph 5 below.

4. Background

- 4.1 At a meeting of the Mayor & Cabinet held on 7 September 2016, the Cabinet considered a report entitled “New Bermondsey (Formerly Surrey Canal Triangle) Proposed Compulsory Purchase Order”. The Cabinet considered an officer report and in accordance with the Constitution, this decision was notified to all members of the Business Panel within 2 days of being made.

5. Overview & Scrutiny Business Panel – Reasons for Call-in

- 5.1 The Overview and Scrutiny Business Panel considered the Cabinet decision, and the original officer report.
- 5.2 Following the consideration of a letter from Millwall FC, and presentations from the Executive Director for Resources and Regeneration, Jordana Malik from the Renewal Group, Richard Pickering and Willow Winston, Business Owners, and Millwall FC Advisors David Prescott, Nigel Kennedy and Andrew Barrow, Business Panel resolved to call in the Cabinet’s decision asking them to consider the issues described below:

- i. Business Panel have specific concerns and were uncertain that the officer report and presentation demonstrated the viability of Renewal's delivery mechanism for the proposed development. It is accepted by all parties that Renewal has no track record.
- ii. Business Panel was concerned that the Council's reputational risk has not been fully considered.
- iii. Business Panel was not convinced that the proposed CPO was in the public interest. Panel members were concerned about the lack of clarity surrounding the provision of sports facilities and affordable and social housing.
- iv. On consideration of a letter from Millwall FC presenting fresh information and evidence, Business Panel believes there are sufficient grounds for the Cabinet to reconsider their decision.
- v. Business Panel had previously raised concerns about the lack of transparency within this project and had requested the Mayor to ask the Chief Executive to review the arrangements to ensure due diligence was in place. Business Panel is concerned that to date they had not received a response to their request from the Chief Executive, having made a request directly to him after the Cabinet had declined to intercede on their behalf.
- vi. In conclusion, the Business Panel agreed that there were insufficient grounds for a compelling case in the public interest to confirm a CPO.

6. Legal Implications

- 6.1 The Council's Constitution provides that where the Overview & Scrutiny Business Panel requests that the Mayor & Cabinet reconsider a decision it shall not become effective until it has been done. There may be no further call-in of the decision.
- 6.2 It is essential that a decision is made on consideration of all relevant information and ignoring irrelevancies. On this basis a decision must not be one which no reasonable authority could come to.

BACKGROUND PAPERS

If you have any queries on this report, please contact Olga Cole Senior Committee Manager, 0208 314 8577 or Kevin Flaherty, Head of Business and Committee, 0208 314 9327