



ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE – 26TH OCTOBER 2021

SUBJECT: NOTICE OF MOTION – NINE MILE POINT PLANNING
DECISION

REPORT BY: CORPORATE DIRECTOR EDUCATION AND CORPORATE
SERVICES

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1. PURPOSE OF REPORT

- 1.1 The Environment and Sustainability Scrutiny Committee is asked to consider the Notice of Motion as set out in paragraph 5.1 of the report and make an appropriate recommendation to Council. In accordance with Rule 11(3) of the Constitution.

2. SUMMARY

- 2.1 A Notice of Motion has been received from Councillor K. Etheridge and supported by Councillors M. Davies, N. Dix, A. Farina-Childs, R. Gough, C. Mann, B. Owen, T. Parry, G. Simmonds.
- 2.2 The Notice of Motion meets the criteria set out in the Council's Constitution and in accordance with the Council's Rules of Procedures is now referred to the Environment and Sustainability Scrutiny Committee for consideration, prior to its consideration by Council.

3. RECOMMENDATION

- 3.1 The Environment and Sustainability Scrutiny Committee are asked to consider the notice of motion the Notice of Motion as outlined in paragraph 5.1 and make an appropriate recommendation to Council.

4. REASONS FOR THE RECOMMENDATION

- 4.1 In accordance with the Council's Constitution.

5. THE REPORT

- 5.1 **Notice of Motion**

We the undersigned elected members of the authority request that a full investigation into the Hazrem planning decision takes place.

This investigation should include within its remit any advice given by Planning Officers and advice given on the procedures and policy prior to and during the Planning Committee meeting when the application was originally considered, and any subsequent advice given to Hywel and Hazrem on conditions. Any relevant information provided to Planning Committee Members prior to the decision (including views of objectors and agents).

We request that the investigation also consider any discussions or information provided prior and after the submission of the Judicial Review and during if information requested by residents

This investigation should also detail any potential costs incurred as a result of the legal proceedings and provide a full account of the case law and finding of the advice given by the Monitoring Officer and outside counsel in regard to all matters especially the decision that no Environment Impact Assessment was required and to the oral hearings of Judicial Review. This will include information given to the Leader / Cabinet and the Corporate Management Team, and why members and residents were refused discussion and communication to achieve a compromise prior to a judicial review submitted by a Dr Platt.

- 5.2 The subject of this Notice of Motion was also referenced in a Question to Council and in a Statement from the Leader of Council at the meeting on the 5th October 2021. At that meeting it was confirmed that the complaints from the community would be investigated under the council's complaints process.

6. ASSUMPTIONS

- 6.1 As a notice of motion is a procedural matter and must be dealt with in accordance with Council's Constitution, no assumptions have been made.

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 This report does not require an Integrated Impact Assessment as it relates to a procedural matter under the Councils Constitution.
- 7.2 The procedural rules regarding a Notice of Motion are contained within Council's Constitution as adopted in May 2002. The Council's Constitution sets out the framework for the decision-making roles and responsibilities.
- 7.3 However the outcome of the Notice of Motion and any subsequent reports arising from it may require an Integrated Impact Assessment.

8. FINANCIAL IMPLICATIONS

- 8.1 There are no financial implications associated with this report.

9. PERSONNEL IMPLICATIONS

9.1 There are no personnel implications associated with this report.

10. CONSULTATIONS

10.1 There has been no consultation undertaken.

11. STATUTORY POWER

11.1 Local Government Act 2000

Author: Emma Sullivan (Senior Committee Services Officer)

Appendices:

Appendix 1 Signed copy of Notice of Motion.