



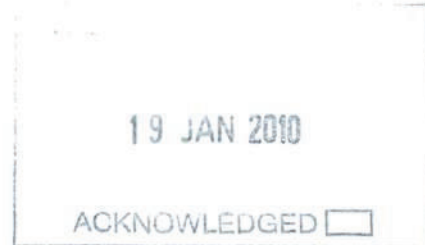
**Councillor Les Hamilton**

6 Nursery Close  
Portslade  
BN41 2SA

*see email  
from  
Halter*

Mr John Barradell  
Chief Executive  
Brighton & Hove City Council

19<sup>th</sup> January 2010



Dear Mr Barradell,

**Request for Call-in of Cabinet Member decision to market test Hangleton Bottom. Item 47, Central Services CMM agenda, 18<sup>th</sup> January 2010.**

We would be pleased if you would consider our request for this decision to be Called-in to the relevant Overview and Scrutiny Committee / Commission on the following grounds;

- That the decision taken on the 18<sup>th</sup> January was not marked or published on the council's Forward Plan as being taken that day. It was in fact marked "deferred from November 20<sup>th</sup> 2008" and had been marked in that way on subsequent Forward Plans since October 2008. The decision is also marked as 'deferred' on the Forward Plan that runs from February 2010 to May 2010.
- The Forward Plan is a prime component of the council's new constitution and is used to inform the public and interested parties in advance as to which key decisions are being taken by Executive Councillors. It is an important form of communication and information from a council that professes to want the public to be kept informed and involved.

For an obscure reason CMM report was marked as not being a key decision, however, we believe that the CMM report's recommendations for the decision taken on the 18<sup>th</sup> January did not differ in material terms from the decision stated on the Forward Plan marked as being 'key';

*"To seek agreement to the marketing approach and future use of the site"*

Report recommendations;

- 2.1 *That the Cabinet Member approves the suggested approach to marketing and creating an informal planning brief for this council owned site as set out in the report.*
- 2.2 *That the Cabinet Member notes that, following market testing on the basis of an informal planning and development brief, a further report will be prepared setting out*

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*the results and future potential options for the redevelopment of the site for Cabinet consideration.*

We are concerned that there has been a deliberate attempt to mislead the public and evade the council's responsibility to have published this decision in advance on the Forward Plan in accordance with the council's constitution.

- The decision to be taken on Hangleton Bottom was marked as being a 'key' decision due to the fact that it affected more than two wards. Given that the report that went to CMM stated that the decision was not 'key' does this mean that the same decision now only affects two wards or less and what has changed? No answer could be given to this question at the CMM.
- There was no detailed supporting information attached to the CMM report on which the decision was based to demonstrate that a proper site search had taken place and how, sequentially, Hangleton Bottom had been prioritised for market testing. No supporting sections of the Waste Local Plan were included to support the decision.
- The decision to market test the site was taken before the evaluation of other potential sites had been completed and the results made known. Paragraph 6.1 of the CMM report states; "*Potential alternative sites are being evaluated through the work on the Waste and Minerals Development Framework but realistic, deliverable options in the City are likely to be extremely limited.*"

The forecast in paragraph 6.1 may indeed be correct but the decision to market test one of the city's green open spaces for development is an important step and before it is taken there needs to be clear evidence to support it. We believe that this evidence was missing from the report on which the decision was based and that the public were prevented from knowing the decision was being taken by its being withheld from the Forward Plan.

For these main reasons we hope that you will agree to our request for the decision to be called-in.

Yours sincerely,



Councillor Les Hamilton

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