

<b>Item No:</b>	<b>Classification:</b> OPEN	<b>Date:</b> October 2003	<b>Meeting Name:</b> EXECUTIVE
<b>Report Title:</b>		Call-In: Appropriation for planning purposes of the Council owned section of Potter's Field former coach site	
<b>Ward(s) or Group affected:</b>		Riverside	
<b>From:</b>		<b>Strategic Director Regeneration</b>	

### RECOMMENDATION

1. That in the light of the recommendations from Overview and Scrutiny the Executive receive a further report as soon as possible including any necessary views from the Chief Financial Officer and assessments of any potential financial consequences of the decision to appropriate the Potters Field land and any legal challenge to that decision.

### BACKGROUND

2. The decisions taken by the Executive on 9 September regarding Potters Field was called in by Scrutiny and considered at a meeting on 25 September. Their conclusions are set out in a separate report.
3. They recommended that the Executive reviews its decision and consider other procedural issues. This report deals only with the Potters Field decision itself.
4. Officers stressed at the call in that the specific decision being sought was limited in scope and that the consequences alleged by Masons on behalf of Berkleys Homes arose only from the ultimate decisions on the use of the site.
5. However given the views expressed by Overview and Scrutiny I recommend that the Executive should receive a further report dealing with those issues so far as is relevant. The report will also deal explicitly with the risk of legal challenge to the decision. In doing so we will seek further clarification from Masons of the grounds for any such challenge.

### LEGAL & FINANCIAL IMPLICATIONS

6. There are no specific legal implications arising from the consideration of this report. Preparation of a report containing the detailed further information recommended by the Overview and Scrutiny Committee has not been possible in the intervening period. Officers will ensure that the further report is brought forward at the earliest possible date.

Background Papers	Held At	Contact
Executive 9 September 2003 –	Town Hall,	Ian Millichap

Agenda and Minutes  Overview & Scrutiny 25 September 2003 – Agenda and Minutes	Peckham Road, London. SE5 8UB	Constitutional Support 020 7525 7225  Lucas Lundgren Scrutiny Team 020 7525 7224
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## APPENDIX A

### Audit Trail

<b>Lead Officer</b>	Paul Evans, Strategic Director of Regeneration	
<b>Report Author</b>	Paul Evans, Strategic Director of Regeneration	
<b>Version</b>	Final	
<b>Dated</b>	29 <sup>th</sup> September 2003	
<b>Key Decision?</b>		
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Chief Officer	Yes	Yes
<b>Executive Member</b>	No	No
<b>Date final report sent to Constitutional Support Services</b>	29 <sup>th</sup> September 2003	