

## Notice of Key Decision Not included on the Forward Plan

Where a matter that is a key decision item has not been included in the Forward Plan, that decision may only be made where –

- (1) the relevant Director has informed the Chairman of the relevant Policy/Overview and Scrutiny Panel or, if there is no such person, each Member of that Panel by notice in writing, of the matter about which the decision is to be made;
- (2) the relevant Director has made a copy of that notice publicly available at the offices of the Council and on the Council's Website. A copy of the notice should also be sent to all councillors for information;
- (3) at least five clear days have elapsed since the relevant Director complied with (1) and (2); and
- (4) if (3) cannot be complied with then the decision can only be taken if the decision taker (if an individual), or the Chairman of the body making the decision, obtains the agreement of the Chairman of the relevant Policy/Overview and Scrutiny Panel that the taking of the decision is urgent and cannot be reasonably deferred. If there is no Chairman of the relevant Policy/Overview and Scrutiny Panel or if the Chairman of each relevant Policy/Overview and Scrutiny Panel is unable to act, then the agreement of the Chairman of the Council, or in his/her absence the Vice-Chairman, will suffice.

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To Councillor Steve Bridger being the Chairman of the Transport, Climate and Communities Policy and Scrutiny Panel.

A copy of this notice must be displayed at offices of the Council and published on the Council's website as soon as reasonably practicable after compliance with the above.

**Take notice** that it is intended that the **Councillor Mike Bell (in consultation with the Director of Place and Section 151 officer)** has/will made/make the following urgent key decision which has not been listed on the forward plan.

**DECISION TITLE:**

THE DISCRETIONARY PURCHASE OF 3 TOWERHEAD, THE OLD POLICE HOUSE, BANWELL, BS29 6PG IN CONNECTION WITH THE BANWELL BYPASS AND SOUTHERN LINK SCHEME

This is an exempt decision in accordance with Local Government Act 1972, Schedule 12A paragraph number: Part 1 & 3

Reason not listed on forward plan:

This decision has come to light following extensive assessment of mitigation for the occupants of the Old Police House, Banwell during the construction of Banwell bypass. This is in relation to a protected characteristic group that resides at the property.

A range of mitigation measures (both incorporated into the scheme and addressed by planning conditions) can provide an adequate level of mitigation to the property under usual circumstances, however the cumulative impacts during construction could have an adverse effect on the individual.

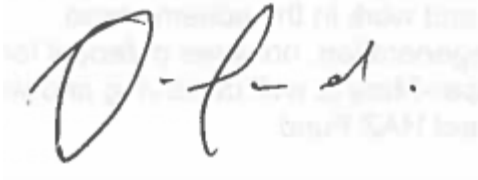
The decision is required urgently in order to remove the objection the occupants have currently raised against the Compulsory Purchase Order for the scheme, reducing fees associated with the preparation of evidence for inquiry (currently in progress) and reputational impacts to the Council. This provides further certainty for all parties, including the occupants who would like to find alternative accommodation promptly.

Agreement of the Chairman of the Policy/Overview and Scrutiny Panel is required in accordance with (4) above

If agreement is required, the Chairman is requested to notify the Director accordingly.

I have had regard to and complied with (1) to (4) above.

If the item will also need to be considered as an urgent item, a reason for urgency will be required.

A handwritten signature in black ink, appearing to read "D. F. A.", is centered on a light gray rectangular background. The signature is written in a cursive style with a large initial 'D' and a period at the end.

Signed:

Assistant Director Placemaking and Growth.

Date: 21 July 2023

Ref. – Constitution, Access to Information Procedure Rules, ss 14, 15.