

## QUESTION BY MEMBER OF THE PUBLIC



**Question submitted by:** Alex Sampson

**To the Cabinet Member or Chair for:**

Councillor Richard Bingley (The Leader of the Council)

**To be asked at the next Cabinet Meeting:**

City Council 27<sup>th</sup> March

**Question (to be no longer than 50 words):**

You used an executive order to ignore public consultation results and bypass scrutiny of elected Councillors. Executive orders concentrate power in your hands alone. Do you believe that executive orders are a democratic and appropriate process for decisions of such consequence as the removal of trees on Armada Way?

**Will you be attending the meeting in person to ask your question?**

No.

**Response:** ( for completion by City Council officers and Cabinet Members / Chairs)

Thank you for your question. I respond on behalf of Councillor Bingley.

I did not use an Executive Decision to ignore public consultation on Armada Way. The detailed report I considered set out all previous consultations including those supporting the scheme and those against it with a detailed consideration of all the issues with the project. There have been consultations in 2018, 2022 and 2023. It is a simple fact that whilst some object to the loss of the existing trees many local people, businesses and national and local agencies strongly support the scheme. I sought to balance all of these views in coming to a decision about the future of the project.

The Armada Way project has been a longstanding commitment of both Labour and Conservative administrations, and is a specific commitment in our Joint Local Plan, a point strongly acknowledged by the Judge in the High Court last week.

The Better Places Programme which includes Armada Way has transcended various political administrations and the designs and project business cases have been developed for over 6 years, again under both Labour and Conservative Cabinet Members and Leaders. The overall design approach and philosophy was set out well before I became Leader and in considering all the issues in the Executive Decision I had to decide whether we should proceed with a final design which made

further changes, including planting even more trees - not just in Armada Way, but throughout the City Centre and the St. Peter and Waterfront ward.

It is also the case that the decision that this scheme did not require planning permission and was permitted development also preceded me becoming Leader.

Executive Decisions are a normal part of the democratic decision-making process in local government. In some cases, Executive Decisions need to be urgently made. Where that is the case, the reasons for urgency have to be agreed by the Chair of the relevant scrutiny panel to ensure independent oversight of the executive. Again, this is the normal part of democratic decision-making process.

In the case of my Armada Way Executive Decision published on 14<sup>th</sup> March 2023, the 6 reasons for urgency were approved by the Chair of the Growth and Infrastructure Overview and Scrutiny Panel after very careful consideration at 11.01 on 14<sup>th</sup> March 2023. I also understand he discussed the process for urgency with Councillor Penberthy.

Last week, the High Court Judge said that there were points of public law that needed to be argued regarding the grounds of urgency in the report. We will be presenting our case on those reasons for urgency at a forthcoming court hearing.