

Background

On 23/08/22 Wigan Council's Confident Places Scrutiny Committee met to discuss the call in of a decision to approve the masterplan which would guide construction of 1100 homes on the green belt in Mosley Common.

On the night, the option to have the decision referred to full council was not available, with the justification being that "this decision does not breach council policy",

However, Wigan Council's core strategy from 2013 stated that the green belt boundaries would be extended and this master plan depends on the green belt boundaries being amended. Therefore this master plan is in contravention of a policy that, at the time of the meeting, was a live Council policy.

Request

Can Wigan Council, therefore, provide a full justification for why the option to refer this decision to full council was not available on the night.

Please ensure to make distinctions between draft and active policies whilst considering this response.

This information is particularly useful, as although the committee voted to refer this back to the decision maker with a number of concerning queries, the decision maker confirmed his decision without addressing the points raised as documented in the minutes of the meeting.

Response

It is noted that your request is for a "full justification" why the option of referring the call in subject matter to council was not available.

Freedom of Information requests allow requesters to request information from a Council.

Information is defined within Section 84 of the Freedom of Information Act 2000, as any form of recorded information.

A request for clarification, an explanation or justification is not a request for recorded information is not a request for information.

The Council can confirm that according to Part 4 of the Wigan Council Constitution the Overview and Scrutiny Procedure Rules provide, at Para 16(d) that the Scrutiny Committee may refer the matter back to the decision maker setting out its writing its concerns or refer the matter to full council if the decision is contrary to the Policy Framework or contrary to , or not wholly in accordance with the budget.

The Mosley Common Development Plan was deemed not to be contrary to the policy Framework. This was set out in the Scrutiny Committee Agenda

A copy of the agenda, report and minutes of the meeting can be found via the following link:

[Agenda for Confident Places Scrutiny Committee on Tuesday, 23rd August 2022, 6.00pm](#)

As your request for justification is not a request for recorded information held by the Council, the authority is not obliged to deal with your request