

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Resources Overview & Scrutiny Panel

23 June 2021

TITLE:	Call-in of Cabinet Delegated Report Ref. 2021/01 – Community Orchard Scheme
PORTFOLIO HOLDER:	Councillor Joe Porter – Portfolio Holder for Biodiversity & Climate Change
CONTACT OFFICER:	Pat Trafford - Member and Community Services Officer
WARDS INVOLVED:	All Wards

Appendices Attached –

Appendix A – Cabinet Report 20th May 2021

Appendix B – Call-in Flow Chart

1. Reason for the Report

- 1.1 To consider the call-in request of the Cabinet decision in relation to the Community Orchards Scheme.

2. Recommendation

- 2.1 That the call-in request be considered in accordance with the Council's Call-in Procedure (Appendix B).

3. Executive Summary

- 3.1 Cabinet members have considered a report which confirmed that during the late 2020/21 planting season the Council piloted 7 orchards to test out elements of the proposed scheme.
- 3.2 The proposal was to extend the scheme by a further 23 locations, with planting taking place in November / December 2021.
- 3.3 A budget of £10,000 has been earmarked from within the existing Community Planning budget.

3.4 The decision made was:-

To approve the Community Orchards Scheme as set out in the attached report.

3.3 Following this decision, call-in requests have been received from Councillors:- K Hoptroff, M Gledhill, B Cawley, L Swindlehurst, P Taylor, D Price, N Yates and C Atkins.

3.4 The call-in request confirmed the following principles of decision making which they believed had not been adhered to:

- taking due regard of all relevant considerations and disregarding irrelevant considerations (“The policy is designated “community orchards”. There is no evidence that communities in which the initial orchards were placed have been consulted in their positioning. The manual in establishing orchards “Community Orchard Handbook (2008) lays out clearly the process in the establishment of orchards and the involvement of the community in clear steps including communicating objectives, timescales for tasks such as outreach, publicity, organising volunteers, planting and above all maintenance. There is no evidence that any work has been done in securing these objectives outlined in 7.9 of the cabinet paper”);
- taken on the basis of due consideration (“The decision to move forward via a cabinet delegated decision (CDD) has also prevented councillors from discussing this report. This mechanism is usually reserved for matters of urgency”);
- a presumption in favour of openness (“Unfortunately in the pilot schemes a hallmark of the policy as operated since the start of the year has been the opposite of openness. Ward Councillors have not been informed of the siting of the orchards and have been presented with a fait accompli”);
- clarity of aims and desired outcomes (“How will this approach lead to the desired outcome communicated in the July 2019 SMDC declaration on making the area carbon neutral by 2030? There is a lack of clearness or sense of purpose of where the planting of community orchards fits within the strategy”).

3.6 The Panel is asked to consider the call-in request, in accordance with the Council’s call-in procedure (Appendix B).

Mark Trillo

Executive Director (People) & Monitoring Officer

**Web Links and
Background Papers**

Cabinet report attached

Contact details

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