



AGENDA ITEM: 7(1)

**EXECUTIVE OVERVIEW AND
SCRUTINY COMMITTEE:
4 DECEMBER 2008**

Report of: Council Secretary and Solicitor

Relevant Portfolio Holder: Councillor Mrs Hopley

**Contact: Mrs. Jacky Denning (Extn. 5384)
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**SUBJECT: CALL IN ITEM – TRANSITIONAL HOUSING CAPITAL RECEIPTS AND
AFFORDABLE HOUSING**

District Wide Interest

1.0 PURPOSE OF THE REPORT

1.1 To advise the Executive Overview and Scrutiny Committee of the reason for the call in of the decision on the above item, as set out in Minute No. 70 of the meeting of Cabinet held on 18 November 2008.

2.0 RECOMMENDATIONS

2.1 That the Committee determines whether it wishes to ask for a different decision.

2.2 That if the Committee does wish to ask for a different decision, the Committee indicates which of the options set out at paragraph 4.1 below, it wishes to pursue.

3.0 BACKGROUND

3.1 The report attached as an Appendix to this report was considered at Cabinet held on 18 November 2008.

3.2 The following decision of Cabinet is contained at minute no. 70:-

“70. TRANSITIONAL HOUSING CAPITAL RECEIPTS AND AFFORDABLE HOUSING

Councillor Mrs Hopley introduced the report of the Executive Manager Housing and Property Maintenance Services on issues relating to the use of Transitional Housing Capital Receipts (THCR) funding for affordable housing purposes and suggesting the establishment of a Cabinet Panel to shape, monitor and approve the Council’s approach so that there is a viable affordable housing policy to meet housing need, deal with other associated issues and assist wider regeneration proposals.

In reaching the decision set out below, the Cabinet considered the details set out in the report before it and accepted the reasons contained in it.

RESOLVED: A. That an Affordable Housing Cabinet Panel comprising 3 Cabinet members together with co-opted members with no voting rights be established to:

- drive forward the Council’s work on developing affordable housing by ensuring that the local affordable housing policy is conducive to realising positive affordable housing outcomes;
- ensure appropriate housing need and housing market information is available to support need for affordable housing interventions, including LDF policy formulation;
- explore delivery mechanisms that will enable maximum benefit of THCR and any other funding that is levered in to West Lancashire;
- commission appropriate research to further the affordable housing agenda; and
- consider how to use THCR to invest in appropriate affordable housing schemes,

and to report back to Cabinet with recommendations as appropriate.

- B. That the Cabinet Panel agree a spending plan for the use of THCR funds, subject to any decisions made by Council during the budget process on the future Capital Programme.
- C That the Executive Manager Housing and Property Maintenance Services be given delegated authority to agree the terms of reference of the Cabinet Panel after consultation with the Leader.
- D. That it be noted that the Leader will advise officers of the names of the Cabinet and co-opted members to serve on the Panel.”

3.3 The following reason for call in was given in the requisition:

“That the Cabinet Panel will have insufficient information or expertise to take decisions on these matters.”

3.4 The requisition also provided an alternative decision which was:

“ That a Council Sub-Committee be formed with appropriate co-optees, to consider these matters.”

3.5 The following Members of the Executive Overview and Scrutiny Committee signed the requisition for call-in in accordance with the provisions of Overview and Scrutiny Committee Procedure Rule 15:

Councillor Mawdsley
Councillor Rice
Councillor Furey
Councillor Nolan
Councillor Cotterill

4.0 CONCLUSION

4.1 Following consideration of the decision of Cabinet and the requisition for call in, the Executive Overview and Scrutiny Committee can decide if it wishes to ask for a different decision. If the Committee does not wish to ask for a different decision then the decision of Cabinet takes immediate effect. If the Committee does wish to ask for a different decision, it may:

- a. refer the decision back to Cabinet (as the decision making body) for reconsideration, setting out the different decision, or
- b. refer the matter to Council. If the matter is referred to Council and Council does not object then the decision of Cabinet will take effect immediately from that Council meeting date. If the Council does object, then the decision and the objection will be referred back to Cabinet (as the decision making body) for reconsideration.

4.2 The Secretary of State in his Guidance recommends that Overview & Scrutiny Committees should only use the power to refer matters to the full Council if they consider that the decision is contrary to the policy framework or contrary to or not wholly in accordance with the budget.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Appendices

Report of the Executive Manager Housing and Property Maintenance Services