



**AGENDA ITEM: 9(b)**

**EXECUTIVE OVERVIEW &  
SCRUTINY COMMITTEE:  
29 September 2011**

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**Report of: Director of People and Places**

**Relevant Head of Service: Borough Solicitor**

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**SUBJECT: CALL IN ITEM – ELMSTEAD DEVELOPMENT – INITIAL PROPERTY ALLOCATION**

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Wards affected: Tanhouse / Borough wide.

**1.0 PURPOSE OF THE REPORT**

1.1 To advise the Executive Overview & Scrutiny Committee of the reason for the call in of the decision on the above item, as set out in Minute No. 55 of the meeting of Cabinet held on 13 September 2011.

**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 5.1 below, it wishes to pursue.

**3.0 DETAILS RELATING TO THE CALL IN**

3.1 The report attached as an Appendix to this report was considered at a meeting of Cabinet on 13 September 2011.

3.2 The decision of Cabinet reads as follows:

**“55. ELMSTEAD DEVELOPMENT PROPERTY ALLOCATION**

Councillor Mrs Hopley introduced the report of the Director of Transformation which provided an update in respect of the Elmstead new build development and sought

approval to allocate the 17 Council properties through the Choice Based Lettings system (Home finder) using a local connection criteria for the initial allocations only.

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

RESOLVED: That taking into account the minute of the Landlord Services Committee (Cabinet Working Group), attached as an Appendix to the report, initial allocation of properties at Elmstead be approved, using the local connection criteria of applicants living in Tanhouse 1&2 (Egerton, Ennerdale, Enstone, Elmridge, Elmstead and Elswick).

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

*“The initial allocation of properties on Elmstead is subject to the normal allocation criteria.”*

3.4 The requisition also provided an alternative decision which was:

*“That initial allocations of properties at Elmstead be approved, using the normal allocation criteria.”*

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

Councillor J Gibson  
Councillor I Moran  
Councillor N Hennessy  
Councillor J Fillis  
Councillor B Nolan

#### **4.0 COMMENTS OF THE ASSISTANT DIRECTOR HOUSING AND REGENERATION**

4.1 The use of a defined local connection criteria using Tanhouse 1&2, for the initial lettings only, would support the integration of these new rental properties into the existing settled community. Using the normal process could allow any applicant from the housing register to access these properties some of whom, although having housing need, may not be currently residing locally or in the Borough.

4.2 This initial lettings arrangement would also reflect the disruption local residents have endured during the construction phase particularly those living in this area. This arrangement would also allow those local eligible applicants who wish to downsize to access the new properties and therefore release larger family homes for other applicants. There are applicants who have expressed a wish to downsize who have attended the initial consultation meetings locally.

4.3 The use of the Tanhouse 1&2 local connection criteria is restricted to the initial letting only and after that will revert back to the normal lettings process.

## **5.0 CONCLUSION**

- 5.1 Following consideration of the decision of Cabinet, the requisition for call in and the comments of the Assistant Director Housing and Regeneration, the Executive Overview & 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.
- 5.2 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.

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### **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**

An Equality Impact Assessment has been considered as part of the attached report.

### **Appendices**

Report of the Director of Transformation.