



AGENDA ITEM: 9(a)

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

Report of: Director of People and Places

Relevant Head of Service: Borough Solicitor

**Contact for further information: Mrs J Denning (Extn. 5384)
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**SUBJECT: CALL IN ITEM – MEANS TESTING FOR PUBLIC SECTOR HOUSING
DISABLED ADAPTATIONS**

Wards affected: 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. 47 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:

**“47. MEANS TESTING FOR PUBLIC SECTOR HOUSING DISABLED
ADAPTATIONS**

Councillor Mrs Hopley introduced the report of the Director of Transformation which sought approval to means test the Council's public sector tenants when applications

are made for disabled adaptations and to consult on this for introduction from the 1 April 2012.

Councillor Mrs Hopley referred to the Minute of the meeting of the Landlord Services Committee (Cabinet Working Group) held on 5 September attached at Appendix 2 to the report, which endorsed the recommendations to Cabinet.

In reaching the decision below, Cabinet considered the Minute of the Landlord Services Committee (Cabinet Working Group) and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED: A. That the principle of introducing means testing for Public Sector Disabled Adaptations, be approved, subject to a consultation exercise being carried out.
- B. That the Assistant Director Housing and Regeneration, in consultation with the Housing Portfolio Holder, implement the scheme subject to satisfactory consultation responses.”

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

“We object to the principle of means testing for public sector disabled adaptations.”

3.4 The requisition also provided an alternative decision which was:

“That means testing is not introduced for public sector disabled adaptations.”

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 This proposal is considered fair and equitable, as this would bring us in line with our colleagues in Private Sector Housing, who already means test their applicants.

4.2 Reintroduction of means testing for public sector disabled adaptations would enable the council to maximise the amount of disabled adaptations carried out with the limited budget available.

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.