

<b>17 July 2013</b>		<b>ITEM 5</b>
<b>Housing Overview &amp; Scrutiny Committee</b>		
<b>CALL-IN TO CABINET DECISION 01104214 – PRIVATE SECTOR HOUSING FEES</b>		
<b>Portfolio Holder:</b> Councillor Val Morris Cook, Portfolio Holder for Housing		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Yes	
<b>Accountable Head of Service:</b> Richard Parkin, Head of Housing		
<b>Accountable Director:</b> Barbara Brownlee, Director of Housing		
<b>This report is public</b>		
<b>Purpose of Report:</b> To summarise the call-in made to cabinet decision 01104214, including outlining the options available to the committee when considering it.		

### **EXECUTIVE SUMMARY**

This report outlines the call-in made to the above cabinet decision, highlighting the reasons why the call-in was made and the alternative proposals being put forward. This report offers advice to the committee on how to manage the call-in through the committee process and should be used as a summary document to help understand the overview of this particular call-in.

#### **1. RECOMMENDATIONS:**

##### **1.1 The Committee can either:**

- a) **If it is concerned about the original decision in light of the call-in, refer it back to Cabinet for reconsideration, setting out in writing the nature of its concerns.**
- b) **If it considers the decision is contrary to the Budget or Policy Framework, refer the matter to the Council.**
- c) **Reject the call-in stating the reasons why.**

## **2. INTRODUCTION AND BACKGROUND:**

2.1 On 14 June 2013 Councillor Rob Gledhill, seconded by Councillor James Halden and Sue Little, called in cabinet decision 01104214 on the basis that:

- the decision does not provide sufficient value for money and provides unfair advantage to applicants
- all residents will be funding the shortfall in cost of service
- the report fails to outline number of potential licences

2.2 The call-in was agreed as a valid call-in by the Monitoring Officer and Proper Officer in accordance with the rules set out in the Constitution.

2.3 As part of the Call-in, Councillor Gledhill recommended the alternative proposals:

- *that all fees proposed should fully reflect the cost of administration and have no impact on the tax payer; or*
- *The council shares services with other local authorities to supply the proposed services at fee values listed.*

## **3. ISSUES AND/OR OPTIONS:**

3.1 When considering the call-in at its meeting, the Committee is recommended to adhere to the following schedule:

- The person who made the call-in to briefly introduce the reasons for the call-in and his/ her alternative proposals.
- Council Officers to respond to the Call-in and make their points.
- Receive comments from the Portfolio Holder if necessary.
- Receive comments from third parties that may be directly involved in the original cabinet decision if applicable.
- The person who made the Call-in to summarise.
- Committee to weigh up evidence and ask any relevant questions to those in attendance.
- Committee to decide to do one of the following:
  - a) if it is concerned about the original decision in light of the call-in, refer it back to Cabinet for reconsideration, setting out in writing the nature of its concerns. If referred to Cabinet, the decision may be amended or confirmed by them; or

- b) if it considers the decision is contrary to the Budget or Policy Framework, refer the matter to the Council.
- c) reject the call-in stating the reasons why.

**4. IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT**

- 4.1 The call-in has a positive impact on corporate policies as it allows for the proper exercise of the democratic function, namely for two non-cabinet councillors to call-in a cabinet decision based on valid arguments.
- 4.2 The role of Overview and Scrutiny in this function will allow for issues to be discussed in a public arena with cross party involvement and will give the opportunity for interested parties to join the debate and make representations.

**5. IMPLICATIONS**

**5.1 Financial**

Implications verified by: **Mike Jones**  
Telephone and email: **01375 652772**  
[mxjones@thurrock.gov.uk](mailto:mxjones@thurrock.gov.uk)

There are no direct financial implications arising from this report beyond any costs associated with any additional work undertaken.

**5.2 Legal**

Implications verified by:  
Telephone and email: **01375 652938**

There are no specific legal implications directly arising from the recommendations beyond the procedural matters cited at the start of this report. The council constitution provides for call in of cabinet decisions in Chapter 4, Part 1 - Article 6, paragraph 4.

**5.3 Diversity and Equality**

Implications verified by: **Samson DeAlyn**  
Telephone and email: **01375 652472**  
[sdealyn@thurrock.gov.uk](mailto:sdealyn@thurrock.gov.uk)

There are no direct equality implications arising from this call in. Any alternative proposals would need to be reviewed and any equality implications arising from them would be stated as part of the proposals.

**APPENDICES TO THIS REPORT:**

- Appendix A: Excerpt from the minutes of the Cabinet meeting on 5 June 2013
- Appendix B: Cabinet Report and Appendices 1-8 from 5 June 2013 – Private Sector Housing Fees
- Appendix C: Call-In from Councillor Gledhill.

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