
**Customer and Corporate Services Scrutiny
Management Committee (Calling In)**

9 May 2022

Report of the Director of Governance

Called-in Item: Review of the “Controlling the Concentration of Houses in Multiple Occupation” Supplementary Planning Document 2012 (revised 2014) in response to the Council Motion of December 2021

Summary

1. This report sets out the reasons for the call-in of the decisions made by the Executive on 21 April 2022 in respect of the above item. The report also sets out the powers and role of the Customer and Corporate Services Scrutiny Management Committee (Calling-In) in dealing with the call-in.

Background

2. An extract from the Decision Sheet published after the Executive meeting on 21 April is attached as Annex A to this report. This sets out the decisions taken on the called-in item. The original report to the Executive Member, together with its annexes, is attached at Annex B.
3. The decisions have been called in for review by the Customer and Corporate Services Scrutiny Management Committee (Calling-In) by Cllrs Warters, Doughty and Kilbane, in accordance with the Constitutional requirements, for the following reasons:-

“The decision reached last night does not satisfy the will of Full Council with regard to the motion approved on the 16th December, something of a constitutional anomaly but also the decision from Executive:

- *Does not provide any explanation as to why a review of this HMO SPD cannot take place alongside and separate from the LP process to assess best practise policies and thresholds as used by other local authorities;*
- *Indicates that the current HMO SPD and its use when assessing new HMO applications is ‘robust’ when clearly it is not and has not been for some years now based on planning application*

determinations and of course the report from the LGSCO.”

Consultation

4. In accordance with the requirements of the Constitution, the calling-in Members have been invited to attend and/or speak at the Calling-in meeting, as appropriate.

Options

5. The following options are available to the CCSMC (Calling-In) in relation to dealing with this call-in, in accordance with the constitutional and legal requirements under the Local Government Act 2000:
 - a) To decide that there are no grounds to make specific recommendations to the Executive in respect of the decisions called in. If this option is chosen, the original decisions taken on the item by the Executive will be confirmed and will take effect from the date of the CCSMC (Calling-in) meeting; or
 - b) To make specific recommendations to the Executive on the decisions called in, in light of the reason given for post-decision call-in. If this option is chosen, the matter will be considered at a meeting of Executive (Calling-In).

Analysis

6. Members need to consider the reasons for the call-in and the original report to the Executive and form a view on whether there is a basis to make specific recommendations to the Executive in respect of the decisions called in.

Council Plan

7. There are no direct implications for this call-in in relation to the delivery of the Council Plan and its priorities for 2019-23.

Implications

8. There are no known Financial, HR, Legal, Property, Equalities, or Crime and Disorder implications in relation to handling the call in of the issue under consideration.

Risk Management

9. There are no risk management implications associated with the call in of this matter.

Recommendations

10. Members are asked to consider the reasons for calling in these decisions and decide whether they wish to confirm the affected decisions or to refer them back for reconsideration and make specific recommendations to the Executive on the decisions called in.

Reason: To enable the called-in matter to be dealt with efficiently and in accordance with the requirements of the Council's Constitution.

Contact Details

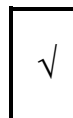
Author:

Dawn Steel
Head of Democratic Services
dawn.steel@york.gov.uk
Tel: 01904 551030

Chief Officer Responsible for the report:

Janie Berry
Director of Governance
Tel: 01904 555385

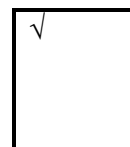
Report Approved



Date: 28/4/22

Wards Affected: All

All



For further information please contact the author of the report

Annexes

Annex A – Extract from the Decision Sheet produced following the Executive meeting on 21 April 2022, setting out the decisions made on the called-in item.

Annex B – Report of the Corporate Director of Place to the Executive meeting on 21 April 2022.