
Meeting	Corporate Services, Climate Change and Scrutiny Management Committee (Calling In)
Date	12 August 2024
Present	Councillors Fenton (Chair), Merrett (Vice-Chair), B Burton, Healey, Melly, Rose, Rowley, Waller, Widdowson, Whitcroft, Fisher (Substitute for Cllr Ayre), J Burton (Substitute for Cllr Coles) and Wilson (Substitute for Cllr Crawshaw)
Apologies	Councillors Ayre, Coles and Crawshaw
In Attendance	Cllr Pavlovic, Executive Member for Housing, Planning and Safer Communities Cllr Lomas, Executive Member for Finance and Major Projects
Officers Present	Pauline Stuchfield, Director, Housing and Communities Patrick Looker, Finance Manager Cathryn Moore, Legal Business Partner (Corporate) and Deputy Monitoring Officer

6. **Declarations of Interest (5:32 pm)**

At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests.

None were declared.

7. **Exclusion of Press and Public (5:32 pm)**

Resolved: That the press and public be excluded from the meeting should the exempt Annexe G to the Update on the Housing Delivery Programme and the Disposal of Surplus Sites report be considered, on the grounds that it contains information relating to the financial or

business affairs of any particular person (including the authority holding that information) which is classed as exempt under Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006.

8. Minutes (5:33 pm)

Resolved: That the minutes of the last meeting held on 3 June 2024 be approved as a correct record.

9. Public Participation (5:33 pm)

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme.

The registered speaker was unable to attend the meeting, their comments had been passed to the relevant officer by the Chair.

10. Called-In Item: Update on the Housing Delivery Programme and the Disposal of Surplus Sites (5:34 pm)

Members considered a report which set out the reasons for the call-in of the decisions made by the Executive on 18 July 2024 in respect of the above matter, along with the committee's remit and powers in relation to the call-in.

The decisions were contained in the extract from the relevant Decision Sheet at Appendix 1 to the report. The original report and associated annexes B and G were attached at Appendix 2. The decisions had been called in by Cllrs Ayre, Smalley and Knight for the following reasons:

- *Policy Framework - Council Plan Priority e) Housing: Increasing the supply of affordable housing. Paper involves market sale of affordable homes, ie 28 and 45/47 Shambles, reducing both the number and distribution of affordable homes.*
Council Plan Priority e) Action 3a) Improve the sustainability and condition of current housing and commercial premises: Review the council's Housing Asset Management Programme to improve the quality of current social housing and to accelerate progress towards our net

zero commitment. Paper recommends disposing of current social housing, ie 28 and 45/47 Shambles, rather than retrofitting.

- 4a. All alternatives and views of public
 - 2020 Housing delivery update outlined a council-led Castle Mills scheme generating £8.4m surplus into council funds, 106 new homes including 20 affordable homes.
 - 2023 development appraisals raised six options for Castle Mills with a potential variation in income to the council of up to £5m. Executive papers did not provide independent updates on these valuations. The confidential annex included provided no evidence at all of value of any of the parcels of CYC land.
 - Views of public. Local residents, health providers and the voluntary sector have not been consulted on sale of 22 The Avenue. Evidence of significant public interest in this site following call in of previous decision by three existing elected members - Cllr Myers, Cllr Pavlovic and Cllr Wells
 - i. 22, The Avenue is a public asset and should be used to help address the city's housing affordability crisis, through its transfer to the council's Housing Revenue Account;
 - ii. The Executive's decision ignores the opportunity to help to reduce the city's existing housing waiting list;
 - iii. Options should be provided to the Executive as to how 22, The Avenue could be re-developed for housing by the Council and put to beneficial use, rather than being sold off to the private sector to profit from a public asset. Given the time elapsed and change in council plan policy framework detailed options and alternatives should have been considered and public consulted or given the opportunity to comment. No evidence has been provided why council plan policy has been applied to some sites yet others it has not.

- 4c. Take account of all matters
 - No business case provided for decisions relating to the sale of any of the following assets including options for delivering affordable housing;
 - 22 The Avenue
 - 28 & 45/47 Shambles
 - Castle Mills

- 4d. Act wholly in the interests of the public

Council budget consultation states “The council is facing an unprecedented financial challenge that demands immediate action. As one of the lowest funded unitary authorities in England, and after more than a decade of budget cuts, with external factors beyond the council’s control, our budget is at breaking point.” The paper does not provide details of the cumulative impact of these council sales which could result in a financial reduction to the taxpayer of between £5m - £10m.

The Lead Call-in Member, Cllr Ayre, addressed the committee, expanding on their reasons for the call-in and then responding to questions from Members.

The Executive Member for Housing, Planning and Safer Communities and the Executive Member for Finance and Major Projects then addressed the committee regarding the decisions, and responded to questions. Officers responsible for the report to Executive spoke to clarify financial matters and were available to answer questions.

Finally, Cllr Ayre summed up on behalf of the Calling-in Members and the Executive Members summed up the Executive position.

During the above process, it was reported that:

- The sale of the annex to 22 The Avenue had not been considered, as that part of the building remained operationally useful.
- The Shambles flats would be retained on a leasehold due to the historic significance to the city.
- It was not considered financially viable to CYC to get the Shambles flats up to a sufficient standard where they would be suitable for social housing. External constraints due to factors such as the listed building status meant that issues such as access and noise could not be satisfactorily addressed within budget.
- 22 The Avenue and the Shambles properties were General Fund assets, therefore any borrowing would be through the General Fund against the revenue budget.

Under the provisions of the council’s constitution at the time the call-in was made, Members were asked to state individually whether they considered the core principles identified in the call-

in request (Appendix 3) had been breached or not. The following options were available:

- In the event of the majority of Members finding no breach, the call-in request would be immediately closed with no further action unless the Committee identified any areas worthy of future exploration by the scrutiny function.
- In the event of the majority of Members finding a breach, the called in decision would be referred back in full for further consideration at the next appropriate meeting of the Executive.

With five Members finding there had been a breach, and eight Members finding there had not been a breach, the call-in fell and it was:

Resolved: That the call-in request be closed.

Reason: To determine the outcome of the alleged breach in Executive decision making.

Cllr S Fenton, Chair

[The meeting started at 5.31 pm and finished at 7.00 pm].

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