

MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE HELD ON TUESDAY, 6TH DECEMBER, 2016, 7.00 - 10.00 pm

PRESENT:

Councillors: Charles Wright (Chair), Pippa Connor (Vice-Chair), Makbule Gunes, Kirsten Hearn and Emine Ibrahim

75. FILMING AT MEETINGS

The Chair drew attendees' attention to the notice as shown at item one of the agenda.

76. APOLOGIES FOR ABSENCE

None.

77. URGENT BUSINESS

It being a special meeting under Part 4, Section B, Paragraph 17 of the Council's Constitution, no other business was considered at the meeting.

78. DECLARATIONS OF INTEREST

None.

79. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS

None.

80. CALL-IN OF CAB 121: SALE OF LAND AT KERSWELL CLOSE N15 5HT

Following an outline of the process for the Call In meeting, and its possible outcomes, the Chair invited Councillor Tucker to present his arguments for why he had requested the Cabinet decision on the sale of land at Kerswell Close be called in, and the alternative action he requested.

Cllr Tucker set out his reasons for the Call In, and where he disagreed with the officer's report and Monitoring Officer's report. Upon questioning from Members, he explained while he had concerns that may be considered by the Planning Committee, that stage was often too late for substantive changes to be made – hence his call-in. He was concerned at the disposal of the Council's land in a way that did not support the Council's priorities, in particular the provision of affordable housing.

Responding to the points raised in the Call In, the Cabinet Members for Corporate Resources, Councillor Demirci, and for Housing, Regeneration and Planning, Councillor Strickland, set out that this was a property decision, rather than a planning decision. That said, the sale was contingent on planning approval, and planning-related matters in the Call In would be addressed as part of the lengthy planning process. The quasi-judicial nature of that process meant its integrity should not be questioned. The proposal from Pocket Homes for the use of the land met the Council's commitment to supporting a range of housing types, in particular intermediate homes being for sale in the east of the borough.

The Cabinet Members were clear that the eligibility criteria operated by Pocket Homes were consistent with national definitions of intermediate housing, certainly in comparison with flats being provided for the open market. Additionally, it was noted that residents in existing Pocket Home developments were at wage levels far below the Mayor of London's upper limit of income for intermediate housing eligibility, partly due to Pocket Homes' prioritisation of eligible individuals with lower income levels. Prospective purchasers could be eligible for support from the Government's Help to Buy schemes, but that was not guaranteed and had therefore not been factored into considerations of affordability.

Responding to questions, the Cabinet Members and officers noted that Pocket Homes had not brought forward a proposal for developing the land being leased to them under this decision, and so there was no specific detail available on the construction method, materials to be used or the sizes or prices of properties. The valuation by the district valuer had used some assumptions about the lessors' proposals in confirming the value of the land being leased. The planning process involved challenge to some proposals, and issues of air quality raised by Councillor Tucker, which were not unique to this site, would be considered in the planning process, as would the potential need to maintain or preserve trees on the site.

The Committee noted that there was no overall policy for the disposal of infill land, and that potential developers and housing associations were engaged with on specific sites according to each site's potential and the expectation that specific needs of each site would be dealt with in the interaction of development proposals and the planning process.

In further discussion, Councillor Tucker confirmed he would believe the sale should not proceed, that he remained doubtful that housing developed on the site would be affordable, and that social housing would be preferable if there were to be development on that site.

Councillor Strickland re-stated his view, in line with the officer report and Monitoring Officer's report, that the Cabinet decision was in line with the policy framework, that the sale supported the provision of intermediate housing, which was lacking in the borough and that many issues raised in the Call In would be considered within the planning process.

Following discussion, the Committee agreed that the decision was within the budget and policy framework, with one member believing it was outside the policy framework.

It was agreed by the Committee that the issues raised by this called-in decision and the call-in of the Cabinet's October decision on the future of Hornsey Town Hall, which also centred on the sale of Council land and supply of affordable housing, merited further consideration and that referral to Full Council or back to the decision-maker would not address these broader issues.

The Overview and Scrutiny Committee would reflect on whether the policies comprising the policy framework were sufficiently clear and testable, and the Housing and Regeneration Scrutiny Panel would consider how the Council was performing against the housing supply commitments within the policy framework. There was also a special meeting of the Overview and Scrutiny Committee and Housing and Regeneration Panel scheduled for February, which would consider the Cabinet's housing plans (Housing Allocations Policy; Tenancy Strategy; Homelessness Strategy and Delivery Plan; and Intermediate Housing Policy), that were being consulted on. The Environment and Community Safety Scrutiny panel may also consider the Council's disposal of green spaces in due course.

The Committee also noted that there were other methods for Members to encourage scrutiny of the Cabinet's decisions, further to the Call In process.

RESOLVED:

1. That the decision taken by Cabinet was within the budget and policy Framework
2. To take no further action, meaning the key decision could be implemented immediately.

81. EXCLUSION OF THE PRESS AND PUBLIC

There were no matters to discuss in the exempt section of the report, and the meeting concluded before reaching this item.

82. CALL-IN OF CAB 121: SALE OF LAND AT KERSWELL CLOSE N15 5HT

Not discussed.

CHAIR: Councillor Charles Wright

Signed by Chair

Date