

'CALL IN' OF DECISIONS OF THE CABINET

This form is to be used for the 'calling in' of decisions of the above bodies, in accordance with the procedure set out in Part 4 Section H.2 of the Constitution.

TITLE OF MEETING	MEETING OF THE CABINET
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DATE OF MEETING	TUESDAY, 15TH NOVEMBER
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MINUTE No. AND TITLE OF ITEM	121. SALE OF LAND AT KERSWELL CLOSE N15 5HT
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1. Reason for Call-In/Is it claimed to be outside the policy or budget framework?

The decision is outside the policy framework.

A) The Housing Strategy states a requirement in respect of intermediate housing affordability that housing cost (including mortgage costs and service charge) should not exceed 45% of net income received by a household; and that the households which should have priority in the provision of such housing are those with a gross income of £40,000 per annum or less, with the income range £30,000 to £40,000 given for households in 'Band D'.

In contradiction to this, the homes in the proposed development by Pocket Living would be unlikely to cost at or less than 45% of net income received by a household on £30,000 to £40,000.

B) The Unitary Development Plan (Saved Policies) gives reasons why open spaces should not in general be built on, and states (8.1) that "Existing open spaces should not be built on unless an assessment shows the open space to be surplus to requirements". The Key objectives (8.3) include ensuring that flora and fauna with environmental value or amenity value is protected and encouraged.

Under OS17 the document states that the Council will seek to 'protect and improve the contribution of trees, tree masses and splines to the local landscape character' including by (d) 'ensuring that when unprotected trees are affected by development, a programme of tree replanting and replacement of at least equal amenity and ecological value and extent is approved by the council.'

The area for sale to Pocket Living includes open space, a footpath and a considerable number of trees including large mature trees. These form an important barrier and provide absorption and mitigation for local people and pedestrians against the pollution and emissions from the adjacent extremely busy and congested road junction. In contradiction to the spirit and wording of the UDP, the proposal fails to protect the flora with its environmental and

amenity value, or the open (green) space, and the latter cannot be assessed as surplus to requirements. Also, a programme of replanting and replacement as per (d) above which could replace the local amenity and ecological effect of the trees on the site has not been proposed, nor does there appear to be any scope for such a scheme.

Further:-

- 1) There has been no consultation with or even information given to the local community, who should be given the opportunity to express their views given the importance of the issues.
- 2) The policy and presumption against building on open green space and removing trees requires very strong reasons to override, which have not been provided.
- 3) The Pocket Living model fails to provide genuine affordability, as the 20% reduction from average market prices for a 1 bed flat which the company offers is achieved through the reduction of 24% in floorspace below the London standard for a 1 bed flat.
- 4) Given that 36 flats which are not genuinely affordable are to be built on the site, the proposed sale price of the land does not represent value for money for the Council.
- 5) There has been no serious and thorough exploration of alternatives.
- 6) Where council owned land is built on, the priority should be for those most in need, which would be served by building council homes or failing that, other homes at social rents.

2. Variation of Action Proposed

Cancel the proposal to sell the area to Pocket Living.

Explore alternative options, including building council homes or failing that, working with a Housing Association to build social homes on part of the area, while protecting the trees and enhancing the attractiveness, environmental value and amenity of the green space. Options for the site of the building currently used as a shop should also be considered.

The local community including residents of the estate/s, the residents' association; and environmental and other relevant organisations should be informed, consulted and involved in decision making about the future of the area.

Signed:

Councillor:  (Please print name): NOAH TUCKER

Countersigned:

1. Councillor: GIBSON BULL (Please print name) 

2. Councillor: CBA (Please print name): CHARLES ADJE

3. Councillor: A. Bennett (Please print name): ANNE JENNIST

4. Councillor: Zena Bulbazon (Please print name): ZENA BULBAZON

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Date Submitted:

Date Received :

(to be completed by the Democratic Services Manager)

Notes:

- Please send this form to:
 Michael Kay (on behalf of the Proper Officer)
 Democratic Services and Scrutiny Manager
 5th Floor
 River Park House
 225 High Road, Wood Green, London N22 8HQ
 Tel: 8489 2920
 Fax: 020 8881 5218

This form must be received by the Democratic Services and Scrutiny Manager by 10.00 a.m. on the fifth working day following publication of the minutes.

- The proper officer will forward all timely and proper call-in requests to the Chair of the Overview and Scrutiny Committee and notify the decision taker and the relevant Director.
- A decision will be implemented after the expiry of ten working days following the Chair of Overview and Scrutiny Committee's receipt of a call-in request, unless a meeting of the Overview and Scrutiny Committee takes place during the 10 day period.

4. If a call-in request claims that a decision is contrary to the policy or budget framework, the Proper Officer will forward the call-in requests to the Monitoring Officer and /or Chief Financial Officer for a report to be prepared for the Overview and Scrutiny Committee advising whether the decision does fall outside the policy or budget framework.