

<b>Item No.</b> <b>33</b>	<b>Classification:</b> OPEN	<b>Date:</b> 18 DECEMBER 2002	<b>MEETING NAME</b> OVERVIEW & SCRUTINY COMMITTEE
<b>Report title:</b>		<i>CALL-IN REQUEST: BEST VALUE REVIEW OF HOUSING MANAGEMENT (FINAL VISION)</i>	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		BOROUGH SOLICITOR & SECRETARY	

### RECOMMENDATION

1. That the Committee consider a call-in request relating to the decision of the Executive of 3 December 2002 in respect of the Final Vision for the Housing Management Service, the request being as set out in paragraph [insert] of this report.

### BACKGROUND INFORMATION

2. On 3 December 2002 the Executive considered a report on the final Vision and Action Plan for the Housing Management Service "Vision for the Future". A copy of the original Executive report is attached at Appendix A.
3. The Executive resolved as follows, i.e.
  1. *"That the final Vision and Action Plan for the Housing Management Scheme as set out in Appendix 1 of the report be agreed.*
  2. *That option 4 be supported, which includes proposals for a reduction in the number of Neighbourhoods to a smaller number of Areas as outlined in Appendix K to the report. A further report, on the number and boundaries for areas to be adopted, will be submitted to the Executive during the implementation phase of the review.*
  3. *That the proposals for developing the support for tenant and resident involvement as outlined in Appendix 2 of the report be agreed. The outcome of this review be reported alongside the review of the Tenants Fund due to report in early 2003 (as set out in paragraph 6 and 7 of the report)."*
4. On 9 December 2002 the Chair of Overview & Scrutiny Committee, Councillor Kim Humphreys, and three members of the Committee (Councillors Aubyn Graham, Barrie Hargrove and Andy Simmons) requested a call-in of this decision.
5. The reasons given for the call-in were stated as being:

"Need to scrutinise the consultation on the Final Vision (in contrast to the consultation on the current service) following concerns raised by tenants and residents".

## **KEY ISSUES FOR CONSIDERATION**

6. Requests for call-in should normally only be made if there is evidence that the Executive did not take a decision in accordance with the principles of decision making as set out in the Constitution:
  - (a) Proportionality (i.e. the action must be proportionate to the outcome)
  - (b) Due consultation and the taking of professional advice from Officers
  - (c) Respect for human rights
  - (d) Presumption in favour of openness
  - (e) Clarity of aims and desired outcomes
  - (f) The link between strategy and implementation must be maintained
  - (g) Decision-making generally, whether by individual Officers, individual Executive Members or the Executive collectively, should have reference to the policy framework and be in accordance with the budget
7. The Overview and Scrutiny Procedure Rules require the Committee to consider any call-in request and in particular whether or not the decision might be contrary to the policy framework or not wholly in accordance with the budget. Advice should be sought from appropriate Chief Officers including the Monitoring Officer and the Chief Finance Officer.
8. If, having considered the decision and all relevant advice, the Overview & Scrutiny Committee is still concerned about it, then it may either:
  - refer it back to the decision-making body for reconsideration, setting out in writing the nature of its concerns; or
  - refer the matter to Council Assembly if the decision is deemed to be outside the policy and budget framework.
9. Members of the Executive with relevant portfolio responsibilities have been invited to attend the meeting.

## **LEGAL & FINANCIAL IMPLICATIONS**

10. Rule 18.6 of the Overview and Scrutiny Procedure Rules requires a call-in request to be signed by the Chair or Vice-Chair of the Overview and Scrutiny Committee plus three members of the Committee; the call-in request has been validly made in accordance with this rule. Rule 18.2 which sets out the circumstances in which call-in requests should normally be made is reflected in paragraph 6 of this report. The Executive decision is not contrary to the policy framework and accords with the budget.

## REASONS FOR LATENESS AND/OR URGENCY

11. The call-in request was received by the Proper Officer on 9 December 2002. Officer information to support Member consideration of this matter was commissioned but not available for despatch until today.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
<i>Council Procedure Rules &amp; Scrutiny Procedure Rules</i>	<i>Constitutional Support Unit, 3<sup>rd</sup> Floor, Town Hall, Peckham Road, London SE5 8UB</i>	<i>Ian Millichap (Executive) T: 0207 525 7225</i>  <i>Shelley Burke (Scrutiny) T: 0207 525 7344</i>
<i>Executive Committee: Agenda, Background Papers and Minutes</i>	<i>Constitutional Support Unit, 3<sup>rd</sup> Floor, Town Hall, Peckham Road, London SE5 8UB</i>	<i>Paula Thornton T: 0207 525 4395</i>
<i>Overview &amp; Scrutiny Committee: Agenda, Background Papers and Minutes</i>	<i>Constitutional Support Unit, 3<sup>rd</sup> Floor, Town Hall, Peckham Road, London SE5 8UB</i>	<i>Lucas Lundgren T: 0207 525 7224</i>

## Audit Trail

<b>Lead Officer</b>	<i>Deborah Holmes, Borough Solicitor &amp; Secretary</i>	
<b>Author</b>	<i>Peter Roberts, Constitutional Support Unit –Scrutiny Manager</i>	
<b>Version</b>	<i>Final</i>	
<b>Dated</b>	<i>13<sup>th</sup> December 2002</i>	
<b>Key Decision?</b>	<i>Not applicable</i>	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Borough Solicitor & Secretary	Yes	Yes
Chief Finance Officer	No	No
<b>Executive Member</b>	No	No
<b>Date final report sent to Constitutional Support Services</b>		