

## **115. MINUTES / REFERRALS - OVERVIEW AND SCRUTINY COMMITTEE, EXECUTIVE PANELS ETC.**

The Committee considered a number of referrals from the Shared Services Board and the Constitutional Review Working Party.

### **Shared Services Board**

The current management arrangements of the Council were considered and reviewed. A change to the Single Management Team had been proposed, involving the deletion of the post of Director of Policy, Performance and Communications thereby making the employee concerned redundant.

### **RESOLVED that**

- 1) the management proposals detailed within the report be approved and implemented; and**
- 2) Members note the consequential employment issues that will arise as a result of these management proposals.**

(In view of the fact that information would be revealed relating to individual employees and their personal / financial details, together with employee relations matters, disclosure of which is not considered to be in the public's best interest, this matter was considered following the exclusion of the public and the press.)

### **Constitutional Review Working Party**

Members considered recommendations from the Constitutional Review Working Party, including a number relating to the Council's current policies for handling statutory Housing and statutory Employee Grievance appeals. It was noted that in both cases there was currently a non-statutory step involving a hearing before a panel of elected Members.

The Housing Appeal policy was currently at risk of challenge by a Judicial Review to seek a declaration from the High Court that the policy was invalid because the non-statutory hearing was included. There was some concern amongst Members that what had been initiated as an assistance to appellants was now the subject of such a challenge. Officers confirmed that the individual concerned had adopted a contrary view and the Council would be advised to defend its position and remove the cause of offence in the light of recent case law.

(a) **Meeting Cycles – Executive Committee / O&S**

**RECOMMENDED that**

- 1) **meetings of the Executive Committee and Overview and Scrutiny Committee be scheduled on a 4-weekly cycle, rather than the current 3-weekly cycle in future calendars of meetings;**

(b) **Housing Appeals**

**RESOLVED that**

- 2) **for the reasons detailed within the report, the amended Housing Appeals Procedure attached at Appendix 1 to the attached report be approved and adopted with immediate effect; but**
- 3) **Officers seek further legal advice as to possible alternative means for a Member-level involvement in appeals against Officer decisions (with regard to Homelessness and Housing Allocation cases); and**
- 4) **Employment Appeal Processes be similarly reviewed in due course, subject to any necessary further consultation, negotiation and report.**

(These urgent referrals had been accepted as matters of Urgent Business –not having met the publication deadline – and were considered at the meeting as such, with the approval of the Chair, in accordance with the Council’s constitutional rules and the powers vested in the Chair by virtue of Section 100 (B) (4) (b) of the Local Government Act 1972 to agree to matters of urgency being discussed by reason of special circumstances.

In this case the exceptional circumstances were that these specific referrals required attention sooner than the next available meeting of the Committee, to which the full minutes would be reported. “Recommended” items required consideration at the full Council meeting on 5th December 2011.)

**116. SANDYCROFT - FUTURE OF SITE**

The Committee discussed the future of the site known as Sandycroft and took decisions regarding the freehold interest and leasing of the site.

Officers reported that the Homes and Communities Agency had been in contact earlier that day in respect of a number of matters including the subject of clawback to that organisation, matters which were currently under consideration by the Council's legal Officers.

Members agreed the proposals before them, noting that the organisation based at Sandycroft carried out good work and that the current proposals would improve the position of both the Council and Sandycroft Well-being Centre Community Interest Company.

**RESOLVED that**

- 1) **authority be delegated to the Head of Finance and Resources to expend up to the sum detailed below, for the purposes indicated; and**
- 2) **Officers undertake an assets review of Council-owned property vacant or occupied by Voluntary & Community Sector organisations;**

**and RECOMMENDED that**

- 3) **a sum of up to £15,000 be allocated in the 2011/12 Capital Programme for the Council to acquire the freehold interest from the Liquidators of Sandycroft and a lease with the Sandycroft Well-being Centre Community Interest Company be entered into for Arden House and Sandycroft at less than best rental; and**
- 4) **authority be delegated to the Head of Finance and Resources to implement this decision, including determination, in consultation with the relevant Portfolio Holders, of the rental terms, subject to agreement of the terms of the acquisition of the freehold and grant of the lease with the respective parties thereto.**

(In view of the fact that information would be revealed relating to individual third party organisations, their financial affairs and terms under negotiation, disclosure of which is not considered to be in the public's best interest, this matter was considered following the exclusion of the public and the press.)