

## MUNICIPAL YEAR 2018/2019 REPORT NO. 179

### MEETING TITLE AND DATE:

Overview & Scrutiny  
Committee, 19 February  
2019

### REPORT OF:

Director of Law & Governance

Agenda – Part: 1

Item: 4

**Subject: Call in: Small Sites Housing  
Development Update 2019**

**Wards: All**

**Key Decision No: 4789**

**Cabinet Member consulted: N/A**

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### 1. EXECUTIVE SUMMARY

- 1.1 This report details a call-in submitted in relation to the following decision:  
**Cabinet Decision (taken on 23/01/2019): Small Site Housing  
Development Update 2019:**
- 1.2 Details of this decision were included on Publication of Decision List No. 45/18-19 (Ref. 6/45/18-19 – issued on 25 January 2019)
- 1.3 In accordance with the Council's Constitution, Overview and Scrutiny Committee is asked to consider the decision that has been called-in for review.
- 1.4 The members who have called-in this decision do not believe it falls outside of the Council's Policy Framework.

## **2. RECOMMENDATIONS**

2.1 That Overview and Scrutiny Committee considers the called-in decision and either:

- (a) Refers the decision back to the decision-making person or body for reconsideration setting out in writing the nature of its concerns. The decision-making person or body then has 14 working days in which to reconsider the decision; or
- (b) Refer the matter to full Council; or
- (c) Confirm the original decision.

Once the Committee has considered the called-in decision and makes one of the recommendations listed at (a), (b) or (c) above, the call-in process is completed. A decision cannot be called in more than once.

If a decision is referred back to the decision-making person or body; the implementation of that decision shall be suspended until such time as the decision-making person or body reconsiders and either amends or confirms the decision, but the outcome on the decision should be reached within 14 working days of the reference back. The Committee will subsequently be informed of the outcome of any such decision.

## **3. BACKGROUND/ INTRODUCTION**

3.1 Please refer to Section 3 in the Decision Report.

## **4. ALTERNATIVE OPTIONS CONSIDERED**

None – Under the terms of the call-in procedure within the Council's Constitution, Overview & Scrutiny Committee is required to consider any eligible decision called-in for review. The alternative options available to Overview & Scrutiny Committee under the Council's Constitution, when considering any call-in, have been detailed in section 2 above.

## **5. REASONS FOR RECOMMENDATIONS**

To comply with the call-in procedure within the Council's Constitution.

## **6. COMMENTS OF THE EXECUTIVE DIRECTOR RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS**

### **6.1 Financial Implications**

The financial implications relating to the called-in decision have been detailed in Section 6.1 of the Cabinet Decision Report.

## **6.2 Legal Implications**

S 21, S 21A-21C Local Government Act 2000, s.19 Police and Justice Act 2006 and regulations made under s.21E Local Government Act 2000 define the functions of the Overview and Scrutiny committee. The functions of the committee include the ability to consider, under the call-in process, decisions of Cabinet, Cabinet Sub-Committees, individual Cabinet Members or of officers under delegated authority.

Part 4, Section 18 of the Council's Constitution sets out the procedure for call-in. Overview and Scrutiny Committee, having considered the decision may: refer it back to the decision-making person or body for reconsideration; refer to full Council or confirm the original decision.

The Constitution also sets out at section 18.2, decisions that are exceptions to the call-in process.

## **6.3 Property Implications**

The property implications relating to the called-in decision have been detailed in Section 6.3 of the Cabinet Decision Report.

## **7. KEY RISKS**

The key risks identified relating to the called-in decision have been detailed in the Cabinet Decision Report.

## **8. IMPACT ON COUNCIL PRIORITIES - CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD**

The way in which the called-in decision impacts on the Council priorities relating to good homes in well-connected neighbourhoods, sustain strong and healthy communities and build our local economy to create a thriving place have been detailed in the Cabinet Decision Report.

## **9. EQUALITIES IMPACT IMPLICATIONS**

The equalities impact implications relating to the called-in decision have been detailed in the Cabinet Decision Report.

## **10. PERFORMANCE MANAGEMENT IMPLICATIONS**

The performance management implications identified relating to the called-in decision have been detailed in the Cabinet Decision Report.

**11. HEALTH AND SAFETY IMPLICATIONS**

The health and safety implications identified relating to the called-in decision have been detailed in the Cabinet Decision Report.

**12. PUBLIC HEALTH IMPLICATIONS**

The public health implications identified relating to the called-in decision have been detailed in the Cabinet Decision Report.

**Background Papers**

None