

	<p><b>Council</b> <b>3 March 2015</b></p>
<p><b>Title</b></p>	<p><b>Housing Committee - Referral to Council</b></p>
<p><b>Report of</b></p>	<p>Head of Governance</p>
<p><b>Wards</b></p>	<p>All</p>
<p><b>Status</b></p>	<p>Public</p>
<p><b>Enclosures</b></p>	<p>Appendix 1: Member's Item - Councillor Ross Houston - Viability Reports</p>
<p><b>Officer Contact Details</b></p>	<p>Andrew Charlwood, Head of Governance (Acting)  <a href="mailto:andrew.charlwood@barnet.gov.uk">andrew.charlwood@barnet.gov.uk</a>                  020 8359 2014</p>

<p><b>Summary</b></p>
<p>Agenda Item 5 'Members' Item - Councillor Houston - Viability Reports' of the Housing Committee on 2 February 2015 was referred up to Full Council by four members in accordance with the Constitution. Council is therefore requested to consider the recommendations and take a decision on them.</p>

<p><b>Recommendations</b></p>
<p><b>That Council consider and vote on the recommendations contained in Agenda Item 5 of the Housing Committee on 2 February 2015.</b></p>

**1. WHY THIS REPORT IS NEEDED**

- 1.1 The Constitution allows a certain number of members to refer a matter on which a Committee has taken a decision to its parent body. At the meeting on 2 February 2015, the required number of members of the Housing Committee referred Agenda Item 5 up to the next meeting of Full Council.

- 1.2 Housing Committee on 2 February 2015 considered a Member's Item from Councillor Ross Houston on Viability Reports. Following consideration of the Member's item Councillor Ross Houston, seconded by Councillor Kath McGuirk, moved the following motion:

'That viability reports and independent assessments should be documents which are made publicly available to members of the council and the public as a default position, and this should be a condition where a development is on council land'.

The motion was lost.

- 1.3 Immediately following the decision, four members of the Committee supported a referral of the decision to Council. The reasons given for the referral were that this is a matter of public concern in the borough, and that wider issues have been raised as part of an inquiry in West Hendon, where there is currently a petition of around 75,000 signatures. It was also noted that this matter is being tested in the courts.

- 1.4 As the Housing Committee did take a decision and immediately indicated after the decision had been taken that they required the decision to be referred up, the procedures to be followed will be those set out in Paragraph 20 of Full Council Procedure Rules (Rules of Debate). For reports of Committees (including Overview and Scrutiny Committees), the Chairman of the relevant committee, or the Vice-Chairman in their absence, will move reception of the report and adoption of the recommendations. This report need not be seconded. The leader of each of the other groups, or another member of their group, will then have an opportunity to comment on the recommendation, and at the end of the time allowed the Mayor will bring this part of the debate to an end, whether or not all those entitled have spoken or completed their speeches.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 As set out in the substantive report.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 As set out in the substantive report.

## **4. POST DECISION IMPLEMENTATION**

- 4.1 As set out in the substantive report.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 As set out in the substantive report.

### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT,**

### **Property, Sustainability)**

5.2.1 As set out in the substantive report.

### **5.3 Legal and Constitutional References**

5.3.1 Constitution, Responsibility for Functions, Paragraph 6, Members Rights to Refer Matters to Parent Body – states that “A specified number of Members of a Committee or Sub-Committee may require that any decision of the Committee or Sub-Committee is referred up to the next practicable meeting of Full Council or the relevant Committee to which the Committee or SubCommittee reports, by indicating immediately after the decision is taken that they require the decision to be referred up. The report to Full Council or the relevant Committee to which the Committee or Sub-Committee reports on the referral shall set out the reasons given for the referral.”

5.3.2 Constitution, Full Council Procedure Rules, Paragraphs 20 and 21- Rules of Debate and Time for Debate

### **5.4 Risk Management**

5.4.1 As set out in the substantive report.

### **5.5 Equalities and Diversity**

5.5.1 As set out in the substantive report.

### **5.6 Consultation and Engagement**

5.6.1 None

## **6. BACKGROUND PAPERS**

6.1 None.