

Committee: OVERVIEW AND SCRUTINY	Date: 28 July 2009	Classification: Unrestricted	Report No.	Agenda Item No. 6.1
Report of: Assistant Chief Executive Originating Officer(s): Amanda Thompson Team Leader, Democratic Services			Title: Cabinet Decision Called-in: Blackwall Reach Regeneration Project Wards: Blackwall and Cubitt Town	

1. SUMMARY

- 1.1 The attached report of the Corporate Director, Development and Renewal was considered by the Cabinet on 1 July 2009 and has been "Called In" by Councillors Tim Archer, Peter Golds, Ahmed Hussain, Emma Jones and David Snowden for further consideration. This is in accordance with the provisions of Part Four of the Council's Constitution.

2. RECOMMENDATION

- 2.1 That the Committee consider the contents of the attached report, review the Cabinet's provisional decisions arising and decide whether to accept them or refer the matter back to Cabinet with proposals, together with reasons.

Local Government Act, 1972 Section 100D (As amended)

List of "Background Papers" used in the preparation of this report

Brief description of "background paper"

Cabinet report - 1 July 2009

Name and telephone number of holder
and address where open to inspection

Amanda Thompson
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3. THE CABINET'S PROVISIONAL DECISION

3.1 The Cabinet after considering the attached report provisionally agreed:-

1. That the project milestones set out in section 4.4 of the report (CAB 007/090), progress against which was dependent on the remaining resolutions below, be noted;
2. That £13m capital resources be provided over a three year period to fund the leaseholders/freeholders buybacks programme; purchase of the Woolmore St Health Centre land interest; and Tenants' Home Loss and disturbance payments to facilitate the Blackwall Reach project on the basis of commencing decanting and the main buyback programme in Autumn 2010;
3. That a revised baseline capacity of 1,600 homes of which a minimum of 35% of the accommodation by habitable room numbers will be affordable, with 45% of the social rented units to be provided as accommodation that is three bedroomed or greater be agreed; and it also be agreed that officers work with the HCA (Housing and Communities Agency) to establish the additional level of housing which can be accommodated on the site in a sustainable fashion, subject to detailed design assessment and also review the business plan to re-assess planning obligations that can be generated from the revised housing totals;
4. That the Corporate Director Development and Renewal, Assistant Chief Executive (Legal Services) and Corporate Director of Resources after consultation with the Chief Executive and Lead Member Housing and Development be authorised to agree the detailed terms of the Collaboration Agreement with the HCA and the Procurement Strategy including Phase 1A and 1B and approach to future phases;
5. That the progress made on community consultation with residents living on the Blackwall Reach site be noted, and the Corporate Director Development and Renewal, after consultation with the Lead Member Housing and Development, be authorised to finalise the community charter and utilise this document to support the procurement process;
6. That it be noted that the Corporate Director Children's Services will need to review education and S106 (planning obligation) supported provision originally anticipated in the Development Framework in view of the proposed lower density scheme and that should the Council wish to pursue the development of a three form entry school additional capital resources will need to be identified;
7. That, subject to the decision set out in Resolution 2. above, the approach to facilitate vacant possession of all land interests set out in Section 11 of the report (CAB 007/090) be approved;
8. That right to buy leaseholders/freeholders interests will continue to be acquired, to meet contractual commitments that have been made by the

Council. The estimated additional cost (net of the £1.5m income from the sale of the St Matthias Site) is £570,000 which will require provision in the Capital Programme and a Revised Capital Estimate;

9. That an additional £1.3m will need to be provided to meet 'hardship' cases which are to be limited to five in number, with criteria and process to be agreed by the Corporate Director of Development and Renewal after consultation with the Assistant Chief Executive (Legal Services);

10. That decant status for tenants and further proactive buy back of RTB (Right to Buy) properties will continue to be suspended until Autumn 2010; and

11. That the Corporate Director of Development and Renewal, after consultation with the Assistant Chief Executive (Legal Services) and Lead Member Housing and Development be authorised to negotiate and agree the public sector Collaboration Agreement with the HCA (Homes and Communities Agency).

4. REASONS FOR THE 'CALL IN'

4.1 The Call-in requisition signed by the five Councillors listed above gives the following reasons for the Call-in:

1. The revised baseline capacity for 1,600 new homes, a reduction of 1,400 on the scheme which was sent out for consultation is, in effect a completely new scheme.
2. There are under 200 additional social rented homes provided in this scheme which is too small a total to warrant the disruption that will be caused by a development of this scale.
3. Because of the extensive changes to the original scheme, the concerns of tenants and leaseholders living in Robin Hood Gardens and the associated properties of Anderson House, Woolmore Street and Mackrow Walk need to be taken into consideration, and there is no evidence that this has been done.

5. ALTERNATIVE COURSE OF ACTION PROPOSED:

5.1 The Councillors submitting the Call-in requisition have proposed the following alternative course of action:

1. Cabinet reconsiders the scheme and time table and does not proceed until a meeting of residents of the affected homes (Robin Hood Gardens, Anderson House, Woolmore Street and Mackrow Walk) can give their opinions on this much reduced scheme.

2. That officers be urgently instructed to see what possibilities there are of finding a partner who will be able to increase the number of social rented properties, whilst preserving financial viability.
3. The council reassures tenants that their existing rights of tenure will be secured under any scheme approved by the Cabinet.

6. CONSIDERATION OF THE "CALL IN"

6.1 The following procedure is to be followed for consideration of the "Call In":

- (a) Presentation of the "Call In" by one of the "Call In" Members followed by questions.
- (b) Response from the Lead Member/officers followed by questions.
- (c) General debate followed by decision.

N.B. – In accordance with the Overview and Scrutiny Committee Protocols and Guidance adopted by the Committee at its meeting on 5 June, 2007, any Member(s) who presents the "Call In" is not eligible to participate in the general debate.

6.2 It is open to the Committee to either resolve to take no action which would have the effect of endorsing the original Cabinet decisions, or the Committee could refer the matter back to the Cabinet for further consideration setting out the nature of its concerns and possibly recommending an alternative course of action.