# **CABINET**

## Agenda Item 62

**Brighton & Hove City Council** 

Subject: Outcome from the Environment and Community

Safety Overview and Scrutiny Committee Call-In Meeting held on 13th August 2008 in relation to the Accommodation Needs of Gypsies and Travellers.

Date of Meeting: 18 September 2008

Report of: Director of Strategy and Governance

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Key Decision: No Wards Affected: All

#### FOR GENERAL RELEASE

### 1. SUMMARY AND POLICY CONTEXT:

1.1 This report refers to the outcome of the 13<sup>th</sup> August 2008 Call-in meeting of the Environment and Community Safety Overview and Scrutiny Committee. The meeting was convened to determine a call-in request from Councillor Craig Turton relating to the 31st July 2008 Cabinet decision on meeting the accommodation needs of gypsies and travellers.

### 2. RECOMMENDATIONS:

- (1) That Cabinet note the decision of the Environment and Community Safety Overview & Scrutiny Committee not to refer back the Cabinet decision in relation to the accommodation needs of gypsies and travellers.
- (2) That the Cabinet approve the following two additional recommendations agreed by the Committee for referral to the Executive:
  - A. That the rest of the process regarding the proposed permanent travellers site is progressed having regard to the need to keep Ward Councillors and residents informed and properly consulted.
  - B. That issues of custom and practice relating to Special Meetings be reviewed and clarified with regard to the Constitution.

## 3. RELEVANT BACKGROUND INFORMATION

3.1 At its meeting on 31st July 2008, the Cabinet agreed a report on a Partial Review of the South East Plan: Meeting the Accommodation Needs of Gypsies and Travellers. Councillor Craig Turton wrote to the Chief Executive on 1 August 2008, requesting that the Cabinet Decision be called in.

- 3.2 The Chief Executive accepted Councillor Turton's Call-In request on 4 August 2008, and arranged for a Special Meeting of the Environment and Community Safety Overview & Scrutiny Committee to consider the request on 13<sup>th</sup> August 2008. The Committee received advice on the Scrutiny process in relation to the Call-In provisions in the Constitution as well as the following information:
  - A. Councillor Turton's written request for Call-In.
  - B. The Director of Environment's report on the accommodation needs of gypsies and travellers agreed by the Cabinet on 31<sup>st</sup> July 2008.
  - C. The official record of the Cabinet decision in relation to this report.
  - D. Additional information on this matter provided by the Director of Environment
- 3.3 The Call-in Meeting heard from Councillor Turton on the reasons for his request to call-in the decision. The Cabinet Member for Environment, Councillor Theobald, also addressed the meeting and answered questions.
- 3.4 Following further discussion and a vote it was agreed that the decision should not be referred back to Cabinet for re-consideration.
- 3.5 Based on the information given and discussion at the meeting, the Committee agreed two additional recommendations for referral to the Executive, as follows:
  - A. That the rest of the process regarding the proposed permanent travellers site is progressed having regard to the need to keep Ward Councillors and residents informed and properly consulted.
  - B. That issues of custom and practice relating to Special Meetings be reviewed and clarified with regard to the Constitution.

## 4. CONSULTATION

4.1 No formal consultation has been carried out regarding this report. The minutes of the Call-in meeting will be considered at the next scheduled Environment and Community Safety Overview & Scrutiny Committee meeting on15th September 2008.

#### 5. FINANCIAL & OTHER IMPLICATIONS:

## 5.1 Financial Implications:

There are no direct financial implications to this report to Cabinet.

## 5.2 Legal Implications:

The current situation regarding custom and practice at special meetings of the Executive was set out by the Head of Law at the call-in meeting.

Any proposed amendments to the Constitution arising from recommendation 2. (2) B would need to be submitted to the Governance Committee for consideration.

Lawyer consulted: Oliver Dixon - August 2008

## 5.3 Equalities Implications:

There are no direct equalities implications to this report, although the substantive decision on location of a site for Gypsies and Travellers was made after consideration of equalities issues.

### 5.4 Sustainability Implications:

There are no direct sustainability implications to this report to Cabinet.

### 5.5 Crime & Disorder Implications:

There are no direct crime and disorder implications to this report to Cabinet.

## 5.6 Risk & Opportunity Management Implications:

There are no direct risk and management opportunity implications to this report to Cabinet.

## 5.7 Corporate / Citywide Implications:

There are no direct corporate/citywide implications to this report to Cabinet.

## 6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 The Committee discussed whether or not to refer the decision back to Cabinet for re-consideration and determined not to do so.

#### 7. REASONS FOR REPORT RECOMMENDATIONS

7.1 The recommendations are based on the information presented and the decisions made at the 13th August 2008 Environment and Community Safety Overview & Scrutiny Call-in meeting.

## **SUPPORTING DOCUMENTATION**

Appendices:		
None		

# **Background Documents**

1. Report of the Director of Strategy and Governance to the 13th August 2008 Environment and Community Safety Overview and Scrutiny Call-in meeting.