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To The Chairman and Members of the Cabinet
All other Members of the Council – for information

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Date 10 January 2011

Dear Sir/Madam,

CABINET - TUESDAY 11 JANUARY 2011

I refer to the agenda for the above-mentioned meeting and enclose the following item:

Item No	Report Title	Page Nos
15.	<u>Reference from the Overview and Scrutiny Commission</u> To consider references from the meeting of the Overview and Scrutiny Commission held on 6 January 2011.	291

Yours faithfully

Julie Britton

Senior Committee Officer

BRECKLAND COUNCIL**Report of the Director of Corporate Resources to the
CABINET – 11 January 2011****REFERENCE FROM OVERVIEW AND SCRUTINY COMMISSION****1. Purpose of Report**

- 1.1 Cabinet is asked to consider the following reference from the meeting of the Overview and Scrutiny Commission held on 6 January 2011 following the call-in for scrutiny of the decision regarding land at Swanton Morley in Tranche 2 of the Active Land Management Programme.

2. Recommendations

It is recommended that the Cabinet notes that:

- 2.1 the Commission supports the decision regarding offering the land for sale for affordable housing; and
- 2.2 bearing in mind the strength of local opposition to the proposal, the Commission requests that once the value of the land has been determined, a final decision on its sale should be discussed formally at Cabinet. The Commission further encouraged the Ward Representative and Parish Council representatives to attend that meeting.

Note: In preparing this report, due regard has been had to equality of opportunity, human rights, prevention of crime and disorder, environmental and risk management considerations as appropriate. Relevant officers have been consulted in relation to any legal, financial or human resources implications and comments received are reflected in the report.

3. Active Land Management – Tranche 2

- 3.1 At the Cabinet meeting on 30 November 2010, approval was given to offer land at Middleton Avenue, Swanton Morley, for sale for affordable housing.
- 3.2 The decision was called-in within the 5-day scrutiny period by Mrs K Millbank, the Ward Representative for Swanton Morley, on the grounds that "one of the key points utilised to allow Cabinet to come to this decision is the erroneous belief that there is a housing shortage in Swanton Morley" and was subsequently considered by the Overview and Scrutiny Commission at its meeting on 6 January 2011.
- 3.3 The Commission has considered the relevant report in the matter and has received further background information on the various stages in the development of this programme which is aimed at maximising the Council's assets to provide income to support its services.
- 3.4 Members of the Commission are satisfied that the decision has been made in the best interest of the District.
- 3.5 During discussion of the matter, members of the Commission had regard to the concerns of the Swanton Morley Parish Council and residents. They received assurance from the Deputy Chief Executive that the current exercise was to determine the value of the land, and they recommended that when the value was known, the final decision on the sale of the land should be reconsidered by Cabinet.