



Report to Resources and Management Scrutiny Committee

Subject: Killisick Court and its use as Sheltered Accomodation

Date: 22nd May 2006

Author: Scrutiny Officer

1. Purpose of the Report

To agree the recommendations at Cabinet.

2. Background

At the instigation of the Chair of this Committee a working party of Elected Members was convened and has met together twice to re-examine some of the issues associated with the Cabinet decision to close and re-designate the use of Killisick Court.

3. Proposal

That Members read the two attached reports- one is the outcome agreed on the 25th April (Appendix 1) the second is a minority report (Appendix 2).

4. Recommendations

The Committee are asked to agree which resolution they wish to send to Cabinet. Members are asked to choose, one or the other, or both reports.

On the 30th March 2006 Councillor G. Clarke (Chair of the Resources and Management Scrutiny Committee) requested a re-examination of a decision made by Cabinet (16th March 2006)-

- (i) To approve the closure, subsequent remodelling and change of use of Killisick Court, Arnold to temporary accommodation for homeless households.

A subsequent Member working party was convened to look at the proposed closure of Killisick Court. This was comprised of Councillors G. Clarke, C. Pepper, T. Grainger, S. Creamer, A. Clarke, P. Barnes, C. Pratt. and D. Pulk (apologies).

The working party met twice on the 11th and 25th April and were supported by the Scrutiny Officer (T. Lack).

The working party reviewed various information:

- (A) A presentation by Lynn Clayton (Head of Housing) outlining a review of Low Demand Accommodation
- (B) Current Performance with Regard to Best Value Performance indicators
- (C) Housing Stock Option Appraisal – Your Homes- Your Future
- (D) Minutes of the Service Review Group- Housing 28th November 2003
- (E) Analysis of Sheltered Schemes – Stock / Demand / Lettings
- (F) Minutes of the Service Review Group Meeting 24th June 2004
- (G) Report to Services Scrutiny Committee 12th July 2004- Housing Services Review Group Update
- (H) Services Committee Scrutiny Review of Balmoral Homeless Hostel
- (I) Report to Services Scrutiny Committee 30th November 2004- Review of the Balmoral Hostel
- (J) Housing Stock Option Working Group Scope
- (K) Minutes from the Meeting of the Stock Option Appraisal Working Party 6th July 2005

(L) Press statements, press cuttings and media reports relating to the closure of Killisick Court (various).

(M) Details of Sheltered Accommodation from the Housing Department

(N) Email reflecting questions from Councillor C. Pratt and answers from Lynn Clayton (Head of Housing) in relation to Housing issues and Killisick Court

(O) Nineteen signed letters from residents of Killisick Court

The working party met with Gedling Borough Council Officers L. Clayton (Head of Housing) and A. Bennett (Area Housing Manager) and the tenants of Killisick court.

The working party reviewed the various information that had been collated and requested for their two meetings. The minutes for their two meetings reflect the group's discussion in more detail. Overall the working party considered many housing related aspects. These included the Council's powers in respect of the 1985 Housing Act and the Killisick residents' secure tenancies. They also discussed the Council's housing schemes and accommodation overall, including Balmoral Court, Sheltered Accommodation, Affordable Housing, the Supporting People initiative and the housing allocation and transfer processes. In considering all the housing related issues in their entirety, the working party ultimately held different viewpoints as to whether they felt the closure of Killisick Court was in fact a matter of structural repairs or voids. At their last meeting (25th April) a Member of the working party proposed a resolution which was voted on and passed due to a majority vote.

The resolution:

- (i) The working party request Cabinet to take cognizance of 19 letters received from residents of Killisick Court
- (ii) Having received information from the Housing Department regarding the decision to make good the repairs to Killisick Court and to convert Killisick Court to short term temporary accommodation for the homeless, the working party considers this decision to be consistent with information provided and supports it.

SCRUTINY REVIEW OF THE CABINETS DECISION
TO CLOSE KILLISICK COURT AS SHELTERED ACCOMMODATION

The Cabinets decision to close Killisick Court was made on 16th March 2006.
The Working Party review of the Cabinets decision was initiated on 10th April 2006 (Resources and Management Committee).

The first meeting of the Scrutiny Working Party was on 11th April 2006.

The appointed members of the Working Party were

LABOUR	CONSERVATIVE	LIBERAL
Cllr A. A. Clarke	Cllr G. Clarke	Cllr C. Pratt
Cllr J. Creamer	Cllr T. Grainger	
Cllr D. Pulk (ABSENT)	Cllr C. Pepper	

The Scrutiny Working Party was chaired by Cllr G. Clarke.

The purpose of the first meeting was to hear a presentation by Lynn Clayton of the Housing Department on the Cabinets decision to close Killisick Court as sheltered accommodation.

At this meeting Cllr's A. A. Clarke and J. Creamer declared an interest, as they had been involved in the decision to close Killisick Court.

The second meeting of the Scrutiny Working Party was on 25th April 2006.

Cllr P. Barnes attended the meeting in place of Cllr D. Pulk.

At this meeting A. A. Clarke spoke at length to convince the Working Party that there was no need to look any further evidence with regards to the closure. Cllr C. Pratt moved the following recommendation based on the answers to questions he had sent to Lynn Clayton by email: -

1. The working party request Cabinet to take cognizance of 19 letters received from the residents of Killisick Court.
2. Having received information from the Housing Department regarding the decision to make good the repairs to Killisick Court and to convert Killisick Court to short term temporary accommodation for the homeless, the Working Party considers this decision to be consistent with information provided and supports it.

A vote was taken on the recommendation resulting in 4 votes for and 3 against. Those for were Cllr's A. A. Clarke, J. Creamer, P. Barnes and C. Pratt, against were Cllr's G. Clarke, T. Grainger and C. Pepper.

By declaring an interest at the first meeting of the Working Party, both Councillors A. A. Clarke and J. Creamer should not have taken part in the vote. Whether or not they were legally or indeed morally entitled to sit on the Scrutiny Working Party is also questionable, as they were involved in the original decision to close Killisick Court. They were hardly likely to vote against a decision they were involved in making.

Whether or not Cllr P. Barnes was entitled to stand in or vote for Cllr D. Pulk is also questionable, however the Chairman allowed him to stay.

There is no doubt that the discussion and vote to accept Cllr C. Pratt's recommendation was premature. It effectively stifled further discussion and did not give the Working Party the opportunity to interview the Cabinet Member for Housing, the Deputy Chief Executive and the members of the Stock Options Appraisal working group. It also made a mockery of the Scrutiny Working Party's attempt to conduct an above board investigation into whether or not the Cabinet had made the right decision to close Killisick Court. It also calls into question the advice given on the make up of the Scrutiny Working Party and if substitutes are allowed.

In conclusion we believe that the Scrutiny Working Party has not been allowed to function as it should have done, it has been politically curtailed to suit a decision made by the Cabinet and is not in the interests of the residents of Killisick Court or indeed the general public. Who knows, at the end of the day, maybe all the Working Party would have supported the Cabinet's decision, but that's something we will now never know.

Recommendation

The Cabinet reconsider the recommendations to close Killisick Court as sheltered accommodation, made on the 16th March 2006.

Author – Councillor Carol Pepper

Agreed by – Councillors Ged Clarke and Tom Grainger