



## OVERVIEW AND SCRUTINY COMMITTEE

Meeting: Tuesday, 9th May 2023 at 6.30 pm  
in Civic Suite, North Warehouse, The Docks, Gloucester, GL1 2EP

### ADDENDUM

The following item although provided for on the agenda front sheet was not available at the time of dispatch:

4.	<p><b>CALL IN OF CABINET DECISION REGARDING NOMINATIONS TO THE GLOUCESTER CITY HOMES BOARD (PAGES 5 - 6)</b></p> <p>To consider a call in of the Cabinet decision of 5<sup>th</sup> April 2023 regarding Nominations to the Gloucester City Homes Board.</p> <p>The following document is included in this supplement:</p> <ul style="list-style-type: none"><li>• Statement of the decision-taker.</li></ul>
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Yours sincerely

**Jon McGinty**  
Managing Director

## NOTES

### Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<u>Interest</u>	<u>Prescribed description</u>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the previous 12 months (up to and including the date of notification of the interest) in respect of any expenses incurred by you carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you, your spouse or civil partner or person with whom you are living as a spouse or civil partner (or a body in which you or they have a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged
Land	Any beneficial interest in land which is within the Council's area.  For this purpose "land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for you, your spouse, civil partner or person with whom you are living as a spouse or civil partner (alone or jointly with another) to occupy the land or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the Council's area for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge) – (a) the landlord is the Council; and (b) the tenant is a body in which you, your spouse or civil partner or a person you are living with as a spouse or civil partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where – (a) that body (to your knowledge) has a place of business or land in the Council's area and

(b) either –

- i. The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
- ii. If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, your spouse or civil partner or person with whom you are living as a spouse or civil partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose, “securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

NOTE: the requirements in respect of the registration and disclosure of Disclosable Pecuniary Interests and withdrawing from participating in respect of any matter where you have a Disclosable Pecuniary Interest apply to your interests and those of your spouse or civil partner or person with whom you are living as a spouse or civil partner where you are aware of their interest.

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For further details and enquiries about this meeting please contact Tanya Davies, 01452 396125, [tanya.davies@gloucester.gov.uk](mailto:tanya.davies@gloucester.gov.uk).

For general enquiries about Gloucester City Council’s meetings please contact Democratic Services, 01452 396126, [democratic.services@gloucester.gov.uk](mailto:democratic.services@gloucester.gov.uk).

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- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building; gather at the assembly point in the car park and await further instructions;
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## STATEMENT OF THE DECISION TAKER

Response of the Cabinet Member for Planning and Housing Strategy to the Call In objections to the Cabinet decision on nominations to the Gloucester City Homes Board.

This decision should not be referred for further consideration due to the following considerations:

### **1. Presumption in favour of openness; and clarity of aims and desired outcomes**

It is agreed that the wording of the summary of the decision published in the Forward Plan may, in retrospect, be perceived to be misleading however there was no intention to mislead. The title of the report however accurately reflects the report contents as the report discusses nominations to the GCH Board.

The report discusses options regarding the current approach to GCH Board nominations and ceasing to nominate to the GCH Board was always one possible decision that could be recommended as is the case with any decision.

### **2. Presumption in favour of openness; and clarity of aims and desired outcomes**

There is no requirement for all Council Members be consulted in respect of decisions that relate to all wards and it is normal for decisions of this type to be considered by Cabinet.

The length of any meeting bears no relevance to whether any item has been subject to due consideration. It is wholly appropriate for meetings to be concise and effective where members have prepared thoroughly prior, and reports discuss the subject topic clearly, and recommendations are clear and transparent.

It is not considered that tenant and leaseholder consultation by GCH is required prior to any decision made by the council regarding its nominations to the GCH Board. It will be for GCH to consider whether consultation may be appropriate following the implementation of any decision by the council.

### **3. Clarity of aims and desired outcomes**

The report fully discusses the limitations resulting from the current regulations that govern the appointment of council nominated GCH Board members and their ability to engage in the operation of the GCH Board.

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