

SPECIAL OVERVIEW AND SCRUTINY BOARD

18th SEPTEMBER 2006

CALL-IN:

HOUSING RENEWAL POLICY

- Additions and Amendments
- Acquisition of Properties in Older Housing Area

PURPOSE OF THE REPORT

1. To allow Members of the Overview and Scrutiny Board (OSB) the opportunity to review decisions made at an Individual Executive Meeting by the Executive Member for Economic Regeneration and Culture on 31st August 2006, in accordance with the Authority's Call-In Procedure.

INDIVIDUAL EXECUTIVE DECISION – Executive Member for Economic Regeneration and Culture – 31st August 2006

2. At an Individual Executive Meeting, consideration was given by the Executive Member for Economic Regeneration and Culture to a report relating to Housing Renewal Policy with specific reference to two items. These are :-
 - Additions and Amendments
 - Acquisition of Properties in Older Housing Area
3. At this meeting, the reports, detailed at **appendix 1**, set out the following:

Housing Renewal Policy Additions and Amendments.

1. To outline the principle features of OHRAS and MiddRAS and the amendment of registering the legal charge with the HM Land registry.
2. The Consultation undertaken with stakeholders and the level of proposed financial assistance.

Acquisition of properties in the Older Housing Area.

1. To obtain approval of the principles to be applied to the proposed acquisition programme of residential properties in the older housing area.
 2. The level of funding from Capital resources which is focused over the next two years on acquiring residential properties
 3. The revision of the broad phasing proposal for acquisition of properties and the compensation payments in accordance with the code be approved.
4. In doing so, the Executive Member for Economic Regeneration and Culture ordered the following:

Agenda item 2. Housing Renewal Policy Additions and Amendments.

1. That the current MiddRAS policy be continued with the amendment of registering the legal charge with HM Land Registry.
2. That the OHRAS policy be added to the Housing Renewal Policy (2003) as a re-housing assistance tool in the Gresham / Middlehaven area.

Agenda item 3. Acquisition of properties in the Older Housing Area.

1. That the purchase by agreement of the premises as set out in paragraph 11 of the submitted report be approved.
2. That arrangements be made regarding the subsequent management, monitoring and demolition of any premises acquired under paragraph 11 of the submitted report.
3. That the criteria for exceptional purchases be approved.
4. That the establishment of an exceptions panel as detailed in paragraph 23 of the submitted report to approve the purchase of properties outside of the phased acquisition process and the detailed guidance notes referred to in the same paragraph be approved.
5. That the making of statutory compensation payments be approved in accordance with the Compensation Code to include home loss, basic loss and disturbance payments together with proper legal and surveyors fees (where appropriate) be approved.
6. That the Director of Resources be authorised to approve terms provisionally agreed for acquisitions in accordance with the Compensation Code and the submitted report by means of the Delegated Authority process.
7. That the Director of Resources be authorised to approve by means of the Delegated Authority process, the acquisition at auction of premises set out in paragraph 11, with the upper limit of bids pre-determined by a valuation estimate.

8. That the Director of Legal Services be authorised to progress the necessary legal documentation.

CALL-IN PROCEDURE

5. The Call-In Procedure allows Members the opportunity to Call-In a decision for scrutiny by the OSB which was made by:
 - i) The Executive;
 - ii) An individual Member of the Executive;
 - iii) A Committee of the Executive;
 - iv) A key decision made by an officer with delegated authority from the Executive;
or
 - v) Under Joint Arrangements.
6. The Call-In Procedure may only be implemented if so requested by any five Members of the Council and upon receipt of any such request by the Proper Officer before the end of the fifth working day after the making of that decision.
7. Following the Housing Renewal report, (Additions & Amendments and Acquisition of properties in the Older Housing Area) which was approved by the Executive Member for Economic Regeneration and Culture on 31st August, six Members supported the request to Call-In such decision, in accordance with the Call-In procedure.
8. Throughout this special meeting of the OSB, Members will have the opportunity to review the decisions. Having considered the decisions the OSB may, if they feel it appropriate, refer the decision back to the decision-making body for re-consideration, setting out in writing the nature of their concerns.
9. If the decision is referred, then a further Individual Executive Meeting will be held within ten further working days. The Executive Member for Economic Regeneration and Culture can then make a final decision in the light of any recommendations made by OSB.
10. If the recommendations of the OSB are not accepted in full, then the Executive Member for Economic Regeneration and Culture should notify the OSB and give reasons for not accepting the recommendations.

REASONS GIVEN FOR THE CALL-IN

11. The reason given to the Authority's Proper Officer which initiated the Call-In Procedure is as follows:

Executive report - Agenda item 2. Housing Renewal Policy Additions and Amendments.

The calling in of this decision surrounds, in part, the MiddRAS and OHRAS policies which creates a possible financial discrepancy in the funding programme for phase 1a of Middlesbrough Councils Regeneration Programme in Gresham ward Middlesbrough

Executive report - Agenda item 3. Acquisition of properties in the Older Housing Area.

The calling in of this decision surrounds the potential financial impact the recommendations could have directly on many residents living in the affected ward.

Also, the impact of acquisitions of property outside of phase 1a, which has an approximate limit of 20% of the total budget of £8.778 million.

Also the proposed membership of the exemption panel.

Housing Renewal Policy Review

12. To assist Members of the OSB to review the decision made by the Executive Member for Economic Regeneration and Culture in relation to the Housing Renewal report, (Additions & Amendments, and Acquisition of properties in the Older Housing Area) the following key witnesses will be in attendance during this Special Meeting:
- i) Strategic Housing Services Manager – (to present the background to the report presented to the Executive Member for Economic Regeneration and Culture at an Individual Executive Meeting held on 31st August 2006);
 - ii) The Executive Member for Economic Regeneration and Culture (to present how the decision was reached); and
 - iii) The Member who initiated the Call-In request (to present their views and concerns with regard to decisions made by the Executive Member for Economic Regeneration and Culture).

PROPOSED CALL-IN TIMETABLE

13. To ensure the Call-In procedure is adhered to, the following Call-In timetable is as outlined below:

MEETING	DATE/TIME	PURPOSE
Special Meeting - Overview and Scrutiny Board	18 Sept 4.00 PM	To review the decisions taken by the Executive Member for Economic Regeneration and Culture on 31 August, in accordance with the Call-In Procedure.
Individual Executive Meeting	To be confirmed	To re-consider the decision (if required to do so)
Overview and Scrutiny Board	17 Oct 4.00pm	To notify the OSB of the reasons for not accepting the OSB recommendations (if applicable).

RECOMMENDATION

14. It is recommended that the Overview and Scrutiny Board consider the content of this report, to enable the Call-In procedure to be adhered to.

BACKGROUND PAPERS

15. The following background papers were used in the preparation of this report:

- i) Middlesbrough Council's Constitution / Call-In Procedure; and
- ii) Middlesbrough Council's Scrutiny Handbook 2005/06.

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