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SPECIAL OVERVIEW AND SCRUTINY BOARD

7th DECEMBER 2006

CALL-IN:

DISPOSAL of SITE 44 (LONGRIDGE)

PURPOSE OF THE REPORT

1. To allow Members of the Overview and Scrutiny Board (OSB) the opportunity to review a decision made at an Individual Executive Meeting by the Executive Member for Economic Regeneration and Culture on 20th November 2006, in accordance with the Authority's Call-In Procedure.

INDIVIDUAL EXECUTIVE DECISION – Executive Member for Economic Regeneration and Culture – 20th November 2006

2. At an Individual Executive Meeting, consideration was given by the Executive Member for Economic Regeneration and Culture to a report relating to Disposal of Site 44 (Longridge) Turnberry Way, Marton, Middlesbrough.
3. At this meeting, the report, detailed at **appendix 1**, sets out the following:
 1. That the site has been identified within the Middlesbrough Local Plan for approximately 20 years and at a meeting of 22nd March 2006 approval was given for the land to be disposed of for residential development. (Development brief MP376, Re 44 longridge)
 2. Informal bids were invited, and at closure on the 25th August, ten bids were received. The top five being assessed on quality and content.
 3. Option appraisal and Financial & legal implications were considered and a recommendation to adopt the preferred developer, being subject to providing additional clarification, was made.

4. In doing so, the Executive Member for Economic Regeneration and Culture ordered the following:

ORDERED

1. That developer A be selected as preferred developer, subject to provision of additional clarification and information requested by the Council.
2. That should the appropriate clarification and information not be forthcoming from Developer A then the site be remarketed.
3. That further reports, as necessary, be submitted to the Executive Member for Economic Regeneration and Culture on the progress of discussions with developer A.

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 'Disposal of Site 44 (Longridge)' report, which was approved by the Executive Member for Economic Regeneration and Culture on 20th November, five 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 decision. Having considered the decision 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 1. Disposal of Site 44 (Longridge) Turnberry Way, Marton, Middlesbrough.

The sale of this young woodland site for building development violates the spirit of the Councils "Open Spaces Strategy" and its "Climate Change Policy" It ignores the results of public consultation and protests in the local community which clearly want the woodland remained as part of the Marton West beck Valley.

Disposal of Site 44 (Longridge) Marton, Middlesbrough

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 Disposal of Site 44 (Longridge) The following key witnesses will be in attendance during this Special Meeting:
 - i) Executive Director of Regeneration – (to present the background to the report presented to the Executive Member for Economic Regeneration and Culture at an Individual Executive Meeting held on 20th November 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 the decision 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	7 th December 9.00 AM	To review the decisions taken by the Executive Member for

Board		Economic Regeneration and Culture on 20 th November, 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	9 th Jan 07 4.00pm	To notify the OSB of the outcome of the Call In

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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