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SPECIAL OVERVIEW AND SCRUTINY BOARD

29th NOVEMBER 2007

CALL-IN:

ERIMUS HOUSING – GROUP STRUCTURE PROPOSALS

PURPOSE OF THE REPORT

1. To allow Members of the Overview and Scrutiny Board (OSB) the opportunity to review a decision made at an Executive Meeting on 13th November 2007, in accordance with the Authority's Call-In Procedure.

EXECUTIVE DECISION — 13th November 2007

2. At an Executive Meeting, consideration was given to a report relating to Erimus Housing – Group Structure Proposals.
3. At this meeting, the report, detailed at **Appendix A**, set out the following:
 1. That Erimus Housing was established in 2004 to receive the Council's housing stock. It is now proposing to set up a new group structure with Tees Valley Housing Group.
 2. The report presented to the Executive contained an appendix which illustrated the reasons behind the proposals and also the implications for both Erimus and the Council.
 3. An Erimus Special General Meeting is scheduled for the 10th December 2007 and the Executive was recommended to support the proposals to set up a new structure with Tees Valley Housing Group. The result being that a representative would exercise the Council's vote at the Erimus Special General Meeting

4. In doing so, the Executive ordered the following:

ORDERED

1. That the contents of the report submitted by Erimus Housing including the revised Memorandum and Articles of Association be noted.
2. That the proposals for Erimus Housing to set up a new group structure with the Tees Valley Housing Group be supported.
3. That the Chief Executive be authorised to nominate a representative to exercise the Council's vote at any General meeting of Erimus Housing to give effect to the required amendments to its constitution.

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 Erimus Housing – Group Structure Proposals report, which was approved by the Executive on 13th 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 its concerns.
9. If the decision is referred back, then a further Executive Meeting will be held within ten further working days. The Executive 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 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 – Erimus Housing – Group Structure Proposals.

The decision to allow Erimus Housing to merge with Tees Valley Housing is opposed as there is concern that the formation of a parent board could impinge on any outstanding agreements made with Middlesbrough Council in November 2004.

Furthermore, the Council did not get any indication if a representative of the Council would be on the new parent board before the decision was taken.

Erimus Housing – Group Structure proposals.

12. To assist Members of the OSB to review the decision made by the Executive in relation to Erimus Housing – Group Structure Proposal. The following key witnesses will be in attendance during this Special Meeting:
- i) Director of Legal and Democratic Service and Executive Office Manager – (to present the background to the report presented to the Executive on 13th November 2007);
 - 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).

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	29 th November 2.00 PM	To review the decisions taken by the Executive on 13 th November, in accordance with the Call-In Procedure.
Executive Meeting	To be	To re-consider the decision (if

	confirmed	required to do so)
Overview and Scrutiny Board	18 th Dec 07 4.30pm	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 2007.

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