

AGENDA ITEM: 3

**SPECIAL OVERVIEW AND SCRUTINY BOARD**

**2<sup>nd</sup> AUGUST 2010**

**CALL-IN:**

**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 Member meeting on 12<sup>th</sup> July 2010, in accordance with the Authority's Call-In Procedure.

**EXECUTIVE DECISION — 12<sup>th</sup> July 2010**

2. At an Individual Executive Member meeting, consideration was given to a report relating to Site 44 (Longridge) Turnberry Way.
3. At this meeting, the report, detailed at **appendix 1**, sets out the following:
  1. To report on the offers received following the intention to sell by tender the 3.1 hectares for residential development, site 44 (Longridge).
  2. The report outlines the history of site 44 in relation to its intended development for residential purposes. The report also continues to outline the affects of the recession of this sale and the inability to maintain the original bid.
  3. The report illustrates the procurement methodology utilising European procurement rules. The results of the offer were that the Council received seven expressions of interest of which six were considered suitable. The Council then received four bids which were considered worthy of consideration. From these Bidder D achieved the highest score.

4. The report continues to present two options. One to dispose of the land based on the highest score while delivering the Council objectives. The other not to sell but in considering the second option this must be placed in context with the non delivery of the Councils Regeneration Aims in relation to Housing.
5. The report briefly illustrates the implications and recommends that the site is sold to Bidder D.
6. In doing so, the Executive ordered the following:

#### ORDERED

1. Site 44 be sold to Bidder D, on the terms that they have offered as part of their mandatory (upfront payment) option;
2. If awarded, the scheme be tracked to see if there is any subsequent overage receipts.

#### REASON

The decisions were supported by the following reason:

In order to secure a capital receipt from the sale of the surplus land which will be reinvested back into the Council's capital programme.

#### **CALL-IN PROCEDURE**

4. 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.
5. 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.
6. Following an Executive meeting, which addressed the report of the Site 44 (Longridge) proposal, which was approved by the Executive Member on 12<sup>th</sup> July 2010. Five Members supported the request to Call-In such decision, in accordance with the Call-In procedure.

7. 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.
8. If the decision is referred, 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.
9. 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**

10. The reason given to the Authority's Proper Officer which initiated the Call-In Procedure for Site 44 (Longridge) Re the Executive Members decision on the Director of Resources and Director of Regeneration Environment's report, relates to the recommendation to approve option 1 in respect to Bidder D, and is as follows:-
  1. The disposal of this land for development goes against all Middlesbrough Policies on green spaces, biodiversity and wildlife habitats.
  2. Totally against the wishes of the local people.

## **Site 44 – (Longridge)**

11. To assist Members of the OSB to review the decision made by the Executive Member in relation to the Site44 (Longridge) decision. The following key witnesses will be in attendance during this Special Meeting:
  - i) Interim Head of Service for Development. to present the background to the report presented to the Executive Member for Resources at an Executive Sub Committee for Property Meeting held on 12<sup>th</sup> July 2010.
  - ii) The Executive Member for Resources (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 Resources).

## **PROPOSED CALL- IN TIMETABLE**

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

<b>MEETING</b>	<b>DATE/TIME</b>	<b>PURPOSE</b>
Special Meeting - Overview and Scrutiny Board	2 <sup>nd</sup> Aug 10 10.0 AM	To review the decisions taken by the Executive Member on 12 <sup>th</sup> July 2010, in accordance with the Call-In Procedure.
Individual Executive Meeting	17 <sup>th</sup> Aug 10 4.00 PM	To re-consider the decision (if required to do so)
Overview and Scrutiny Board	24 <sup>th</sup> August 2010 4.30 PM	To notify the OSB of the outcome of the Call In

### **RECOMMENDATION**

13. 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**

14. 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.

### **Contact Officers:**

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