



AGENDA ITEM 3

SPECIAL OVERVIEW AND SCRUTINY BOARD

22 AUGUST 2011

CALL IN - SITE 44 (LONGRIDGE), TURNBERRY WAY, COULBY NEWHAM

PURPOSE OF THE REPORT

1. In accordance with the Authority's Call-In Procedure, to allow Members of the Overview and Scrutiny Board (OSB) the opportunity to review a decision made at a meeting of the Executive Sub-Committee for Property.

EXECUTIVE DECISION - 3 AUGUST 2011

2. At the meeting of the Executive Sub-Committee for Property held on 3 August 2011, consideration was given to two reports relating to the sale of land at Turnberry Way, Coulby Newham.
3. At that meeting, the Director of Regeneration and the Director of Resources submitted information on offers received following the marketing for sale by tender of the residential development site known as Site 44 (Longridge) at Coulby Newham. The report also recommended the selection of a 'preferred bidder' and the process of the sale. The reports submitted to the Executive Sub-Committee are attached at **Appendices 1 and 2**. Please note that as Appendix 2 contains exempt information, and has only been made available to Overview and Scrutiny Board Members, its content must not be disclosed.
4. Having considered the submitted reports, the Executive Sub-Committee **ORDERED** as follows:
 1. That Site 44 be sold to Bidder E, on the terms that they have offered as part of their mandatory (upfront payment) option.
 2. That, if awarded, the scheme be tracked to see if there are any subsequent overage receipts.
5. 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

- 6 The Call-In Procedure allows Members the opportunity to Call-In a decision for scrutiny by the OSB which was made by:
 - 1) The Executive;
 - 2) An individual Member of the Executive;
 - 3) A Committee of the Executive;OR was:
 - 4) A key decision made by an officer with delegated authority from the Executive; or
 - 5) Was made under Joint Arrangements.
7. The Call-In Procedure may only be implemented if requested by any five Members of the Council and on receipt of the necessary Call-In request form before the end of the fifth working day following the Executive decision.
8. Following the Executive Sub-Committee for Property meeting of 3 August 2011, which addressed the sale of land at Site 44, five Members supported the request to Call-In the decision, in accordance with the relevant procedure.
9. At the Overview and Scrutiny Board meeting, Members will have the opportunity to review the decision. Having considered the decision, the OSB may, if it considers it appropriate, refer the matter back to the decision-making body for re-consideration, setting out in writing the nature of the Board's concerns.
10. If the decision is referred back, then a further Executive Meeting is required to be held within ten working days. The Executive will then make a final decision in the light of any recommendations made by OSB.
11. If the recommendations of the OSB are not accepted in full, then the Executive should notify the Board and give reasons for not accepting the recommendations.

REASON GIVEN FOR THE CALL-IN

12. The reason for the Call-In request, as stated on the completed Call-In Request Form, is:

'The decision does not give the best consideration in terms of value and planning quality.'

13. To assist Members of the Overview and Scrutiny Board to review the decision of the Executive Sub-Committee for Property in respect of Site 44, the following key witnesses will be in attendance at the meeting:
 - 1) Urban Regeneration Service Manager to present the background to the reports submitted to the Executive Sub-Committee for Property.
 - 2) The Chair of the Executive Sub-Committee for Property and/or The Executive Member for Regeneration and Economic Development.

- 3) The Member who initiated the Call-In request (to present their views and concerns with regard to the decision made).

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

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

- Middlesbrough Council's Constitution / Call-In Procedure; and
- Middlesbrough Council's Scrutiny Handbook.
- Reports to the Executive Sub-Committee for Property - 3 August 2011.

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