
Strategic Policy Panel

20 April 2009

Report of the Head of Civic, Democratic and Legal Services

Referral of Called In Item: 2009/10 City Strategy Capital Programme Budget Report

Summary

1. This report provides details of the referral to the Strategic Policy Panel (SPP) of a revised decision taken by the Executive (Calling In) on 7 April 2009 in respect of the Executive's original decisions on the 2009/10 City Strategy Capital Programme Budget Report, which were called in following the Executive meeting on 31 March 2009. It also explains the powers and role of SPP in relation to dealing with this referral.

Background

2. At their meeting on 31 March 2009, the Executive considered a report which outlined the schemes within the City Strategy Transport Capital Programme planned for delivery in 2009/10, together with options for the use of additional funding expected from the Regional Funding Allocation. With regard to the use of the additional funding the Executive decided:

“That Option 1 (Outer Ring Road congestion reduction improvement) be approved as the preferred use of the supplementary LTP allocation provided by the Regional Transport Board.”

3. This decision was subsequently called in and considered by the Scrutiny Management Committee (Calling In) on 6 April, which resolved:

“That Option B be approved and that the matter be referred back to the Executive with a recommendation that they approve Option 2 [in the original report to Executive], on the basis that it complies with the Local Transport Plan.”

4. The matter was duly re-considered at a meeting of the Executive (Calling In) held on 7 April, when they revised their original Resolution (ii) to read as follows:

“That consideration of the use of the balance of the supplementary LTP allocation provided by the Regional Transport Board be deferred and that Officers be requested to provide a comparison of the administrative and planning resources that would be required to implement either of the following expenditure profiles over the next two years:

		£k
Option 1	ORR Roundabout Improvement Scheme implementation	2077
	Haxby Station Preparatory Works (10/11)	50
	Access York Phase 2 Preparatory Work (10/11)	200
	<i>Total</i>	2327
Option 2	Access York Phase 1 (Additional elements) 10/11	477
	Fulford Road (Bus Priorities) 10/11	400
	Access to Station (Access Ramp) (10/11)	250
	Cycling Network Maintenance	200
	LTP/LAA Targets Review	250
	Village accessibility review additional works (10/11)	500
	Haxby Station Preparatory Works (10/11)	50
	Access York Phase 2 Preparatory Work (10/11)	200
	<i>Total</i>	2327

5. Councillor Scott, as Leader of the Labour Group, has now requested that this revised decision be referred to Strategic Policy Panel, in accordance with the constitutional requirements for referral, on the grounds that:

“The Executive has failed to reach a decision following the recommendation of yesterday’s SMC meeting.”

Consultation

6. Not relevant for the purposes of this report.

Options

7. The following options are available constitutionally to the SPP in relation to dealing with this referral :
- a. To make a recommendation that the Executive confirm the decision of the Executive (Calling In) on 7 April 2009, on the grounds that SPP does not believe there is any basis for reconsideration.

- b. To make a recommendation that the Executive reconsider or amend in part their decision of 7 April, in the light of the reasons for referral.

The decision takes effect from the date of the Executive (Calling In) meeting; that is, 7 April 2009.

Analysis

8. Members need to consider the reasons for referral and the basis of the decision made by the Executive (Calling In) and form a view on whether there is a basis for reconsideration of that decision.
9. An extract from the minutes of the Executive (Calling In) meeting is attached as Annex A to this report. This indicates the basis upon which the decision now under consideration was taken.

Corporate Priorities

10. The issues in this report do not relate to the Council's current Corporate Priorities for Improvement.

Implications

11. There are no known implications in relation to the following in terms of dealing with the specific matter before Members, namely to determine and handle the referral.

- Finance
- Human Resources (HR)
- Equalities
- Crime and Disorder
- Property
- Other

Legal Implications

12. The Head of Civic, Democratic & Legal Services (Council's Monitoring Officer) will advise upon any relevant legal implications at the meeting associated with the reconsideration of this matter.

Risk Management

13. There are no risk management implications associated with the referral of this matter.

Recommendations

14. Members are asked to consider the referral and reasons for it and decide whether they wish to confirm the decision made by the Executive (Calling In) on 7 April, or recommend that the Executive reconsider or amend in part their decision in the light of the reasons for referral.

Reason:

To enable the referral to be dealt with efficiently and in accordance with the Constitution.

Contact details:

Author:

Fiona Young
Principal Democracy Officer
01904 551027
email:
fiona.young@york.gov.uk

Chief Officer Responsible for the report:

Quentin Baker
Head of Civic, Democratic and Legal Services

Report Approved**Date** 9/4/09**Specialist Implications Officer(s)**

None

Wards Affected:**All**

For further information please contact the author of the report

Annexes

Annex A – Extract from the minutes of the Executive (Calling In) meeting held on 7 April 2009

Background Papers

Reports to and minutes of the following meetings (all available on the Council's website):

- Executive – 31 March 2009
- Scrutiny Management Committee (Calling In) – 6 April 2009
- Executive (Calling In) – 7 April 2009