

**Scrutiny Management Committee  
(Calling – In)**

**9 November 2009**

**Report of the Head of Civic, Democratic and Legal Services**

**Called-in Item: Beckfield Lane – Extension of Cycle Route**

**Summary**

1. This report sets out the reasons for the call-in of the decisions made by the Executive Member for City Strategy on 20 October 2009 in relation to the extension of cycle facilities on Beckfield Lane between Ostman Road and Wetherby Road. The report also explains the powers and role of the Scrutiny Management Committee in relation to dealing with the call-in.

**Background**

2. An extract from the decision list published after the relevant Decision Session of the Executive Member for City Strategy is attached as Annex 1 to this report. This sets out the decisions taken by the Executive Member. The original report to the Decision Session is attached as Annex 2.
3. Councillors Simpson-Laing, B Watson and Horton have called in the Executive Member's decisions for review by the Scrutiny Management Committee (SMC) (Calling-In), in accordance with the constitutional requirements for post-decision call-in. The reasons given for the call-in are:

*“That the Executive Member:*

- *Pre-judged the issue and failed to take into consideration the numerous objections of local residents*
- *Failed to respond to the financial justification arguments*
- *Failed to respond to legal highway arguments*
- *Showed ignorance of the layout of Beckfield Lane and its geometry*
- *Failed to take notice of the City Council's Cycle Champion's comments and those of the Cycle Campaign Group.”*

**Consultation**

4. In accordance with the requirements of the Constitution, the calling-in Members have been invited to attend and/or speak at the Call-In meeting, as appropriate.

## **Options**

5. The following options are available to SMC (Calling-In) in relation to dealing with this call-in, in accordance with the constitutional and legal requirements under the Local Government Act 2000:
  - (a) To confirm the decisions of the Executive Member, on the grounds that the SMC (Calling-In) does not believe there is any basis for reconsideration. If this option is chosen, the decisions take effect from the date of the SMC (Calling-In) meeting.
  - (b) To refer the decisions back to the Executive Member, for him to reconsider or amend in part his decisions. If this option is chosen, the matter will be re-considered at a meeting of the Executive (Calling-In) to be held on 10 November 2009.

## **Analysis**

6. Members need to consider the reasons for call-in and the basis of the decisions made by the Executive Member and form a view on whether there is a basis for reconsideration of those decisions.

## **Corporate Priorities**

7. An indication of the Corporate Priorities to which the Executive Member's decisions are expected to contribute is provided in paragraphs 41 to 43 of Annex 2 to this report.

## **Implications**

8. There are no known Financial, HR, Legal, Property, Equalities, or Crime and Disorder implications in relation to the following in terms of dealing with the specific matter before Members; namely, to determine and handle the call-in:

## **Risk Management**

9. There are no risk management implications associated with the call in of this matter.

## **Recommendations**

10. Members are asked to consider the call-in and reasons for it and decide whether they wish to confirm the decisions made by the Executive Member or refer the matter back to the Executive Member for re-consideration at the scheduled Executive Calling-In meeting.

## **Reason:**

To enable the called-in matter to be dealt with efficiently and in accordance with the requirements of the Council's Constitution.

**Contact details:**

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**Report Approved**  **Date** 27/10/09

**Specialist Implications Officer(s)** None

**Wards Affected:** Acomb

**All**

**For further information please contact the author of the report**

**Annexes**

Annex 1 – decision of the Executive Member for City Strategy (extract from decision list published 21/10/09)

Annex 2 – report to Decision Session held on 20/10/09

**Background Papers**

Agenda and minutes relating to the above Decision Session (published on the Council's website)