
**Customer and Corporate Services Scrutiny
Management Committee (Calling In)**

27 June 2022

Report of the Director of Governance

**Called-in Item: Consideration of Results from the Consultation about
Parking restrictions in relation to Cavendish Grove, Tranby Avenue and
Moore Avenue/Osbaldwick Lane Junction**

Summary

1. This report sets out the reasons for the call-in of the decisions made by the Executive Member for Transport on 17 May 2022 in respect of the above item. The report also sets out the powers and role of the Customer and Corporate Services Scrutiny Management Committee (Calling-In) in dealing with the call-in.

Background

2. An extract from the Decision Sheet published after the Executive Member Decision Session on 17 May is attached as Annex A to this report. This sets out the decisions taken on the called-in item. The original report to the Executive Member, together with its annexes, is attached at Annex B.
3. The decisions have been called in for review by the Customer and Corporate Services Scrutiny Management Committee (Calling-In) by Cllrs Warters, Doughty and Rowley, in accordance with the Constitutional requirements, for the following reasons:-
 - *“The decision fails to respect the views of the majority of respondents to the ‘consultation’ and therefore once again brings the term ‘consultation’ into disrepute by CYC.*
 - *The decision seeks to impose double yellow lines onto sections of carriageway that are already covered by Highway Code obstructive parking that is adequately covered and can already be enforced by NYP who work closely with the Parish Council and Ward Councillors already.*

- *As residents have already pointed out after the webcast of the decision session the double yellow lines as passed by the Executive Member will make the parking situation worse for them.*
- *The reason advanced for introducing such restrictions is supposedly 'safety' and yet the restrictions as passed by the Executive Member clearly fail to address the problem of University related parking, which if parked where it should be would remove the need for any restrictions, fail to address genuine safety concerns further down Tranby Av which will likely be made worse by this imposition as parking is just moved.*
- *Passing of the double yellow line restrictions by the Executive Member so soon after Scrutiny was assured that CYC would be engaging with York University to seek solutions to the problem of University related parking is an admission that the Executive Member and Highway regulation staff have no faith in that initiative and have previously misled Scrutiny as to the likely effectiveness and/or sincerity of those involved in promoting such an approach.*
- *There was absolutely no consideration throughout this process of the use of single yellow lines for example with parking restrictions imposed from 9.00 am to 5.00pm which would effectively stop the long term dumping of University and school related parking whilst inconveniencing residents the minimum.*
- *The whole process has degenerated into a face saving exercise for highways officers to daub useless double yellow lines to carry on the long term aim of not solving the University related parking chaos the very same staff and Executive Member have deliberately transferred into Osbaldwick and Murton and to create as much disruption as possible in furtherance of pursuing Respark expansion - this is not how a responsible Local Authority Highways function should operate.*
- *As call in Members who have followed this process closely and the many other traffic related matters under the Executive Member's portfolio these last three years we have no confidence in the ability of the Executive Member to reach impartial decisions on matters like this and see this deliberately created situation and lack of will and action to solve the issue of displaced University related parking as an abuse of office."*

Consultation

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

Options

5. The following options are available to the CCSMC (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 decide that there are no grounds to make specific recommendations to the Executive in respect of the decision called in. If this option is chosen, the original decisions taken on the item by the Executive Member will be confirmed and will take effect from the date of the CCSMC (Calling-in) meeting; or
 - b) To make specific recommendations to the Executive on the decisions called in, in light of the reasons given for post-decision call-in. If this option is chosen, the matter will be considered at a meeting of Executive (Calling-In).

Analysis

6. Members need to consider the reasons for the call-in and the original report to the Executive Member and form a view on whether there is a basis to make specific recommendations to the Executive in respect of the decisions called in.

Council Plan

7. There are no direct implications for this call-in in relation to the delivery of the Council Plan and its priorities for 2019-23.

Implications

8. There are no known Financial, HR, Legal, Property, Equalities, or Crime and Disorder implications in relation to handling the call in of the issue under consideration.

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 reasons for calling in these decisions and decide whether they wish to confirm the decisions or to refer them to

Executive for reconsideration and make specific recommendations to the Executive on the decisions called in.

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

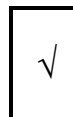
Author:

Dawn Steel
Head of Democratic Services
dawn.steel@york.gov.uk
Tel: 01904 551030

Chief Officer Responsible for the report:

Janie Berry
Director of Governance
Tel: 01904 555385

Report Approved



Date: 16/6/22

Wards Affected: Osbaldwick and Hull Road

For further information please contact the author of the report

Annexes

Annex 1 – Extract from the Decision Sheet produced following the Executive Member Decision Session on 17 May 2022, setting out the decisions made on the called-in item.

Annex 2 – Report of the Director of Transport, Environment & Planning to the Executive Member Decision Session on 17 May 2022.