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

25 January 2010

Report of the Head of Civic, Democratic and Legal Services

**Called-in Item: Westminster Road Area Consultation and
Survey Results**

Summary

1. This report sets out the reasons for the call-in of the decisions made by the Executive Member for City Strategy on 5 January 2010 following his consideration of the results of the vehicle surveys and questionnaire carried out in relation to the through traffic in the Westminster Road area, following the introduction of the Water End Cycle Scheme. 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 Scott, Douglas and King 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 misdirected himself by:-

- *Failing to listen to the representations of residents;*
- *Failing to listen to the representations of ward councillors;*
- *Failing to recognise and correct the deficiencies in the consultation process;*
- *Failing to act so as to alleviate the increased traffic volumes and flow on Westminster Road and The Avenue;*
- *Failing to comply with the council's own highway design guide; and*
- *Failing to honour his commitment on the issue given at an EMAP meeting in 2009.”*

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 26 January 2010.

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. Officers considered that this matter did not impact on the corporate strategy.

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.

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Report Approved **Date** 01/2010

Specialist Implications Officer(s) None

Wards Affected: Clifton

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 06/01/10)

Annex 2 – report to Decision Session held on 05/01/10

Background Papers

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