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

**14 September 2009**

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

**Called-in Item: Westminster Road Petitions**

**Summary**

1. This report sets out the reasons for the call-in of the decisions made by the Executive Member for City Strategy on 1 September 2009 in relation to two petitions received regarding the change in traffic conditions due to works carried out on Water End earlier in the year. The report also explains the powers and role of the Scrutiny Management Committee in relation to dealing with the call-in.

**Background**

1. 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.
2. Councillors Douglas, King and Scott 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 in:*

- *failing to follow the representations of local councillors*
- *failing to follow the representations of the residents of Westminster Road*
- *not deciding on Option G - Point Closure of the street.”*

**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 her to reconsider or amend in part her decisions. If this option is chosen, the matter will be re-considered at a meeting of the Executive (Calling-In) to be held on 15 September 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 paragraph 39 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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### Chief Officer Responsible for the report:

Quentin Baker  
Head of Civic, Democratic and Legal Services

Report Approved



Date

2 September  
2009

Specialist Implications Officer(s) None

Wards Affected:

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 2/9/09)

Annex 2 – report to Decision Session held on 1/9/09

## Background Papers

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