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

14 June 2010

Report of the Head of Civic, Democratic and Legal Services

**Called-in Item: 20 mph Speed Limit Petitions for
Sovereign Park and Dodsworth Avenue**

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 June 2010 in relation to a report which set out a proposed response to two petitions received requesting 20 mph speed limits in Sovereign Park and Dodsworth Avenue. This covering 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 Executive Member Decision Session is attached as Annex 1 to this report. This sets out the decisions taken by the Executive Member on the called-in item. The original report to the Executive Member is attached as Annex 2.
3. Councillors Horton, Pierce and Simpson-Laing 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:

“Despite the fact that the proposal ‘ticks all the boxes’ of the criteria arbitrarily imposed by the Executive Member at the end of 2009 other than no reportable accidents in the last 3 years, the Executive Member has refused to move the item up the priority list where many of the suggested schemes above it fall short of meeting many of the criteria. The lack of recordable accidents is down to the fact that the estate has only been occupied in the last 3 years and the highways only adopted recently making the criterion difficult to meet.”

The Executive Member's insistence that until the city-wide consultation on 20 mph schemes across the City's residential areas is concluded, he is not prepared to move on any 20 mph scheme."

Consultation

4. In accordance with the requirements of the Constitution, the Calling-In Members will be invited to attend and/or speak at the Calling-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 original decisions will be confirmed and will take effect from the date of the SMC (Calling-In) meeting.
 - (b) To refer the matter back to the Executive Member, for him to reconsider his original decisions. The reference back may include specific recommendations to the Executive Member. If this option is chosen, the matter will be re-considered at a meeting of the Executive (Calling-In) to be held on 15 June 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 are grounds 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 23 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 for re-consideration at the scheduled Executive Calling-In meeting.

Reason:

11. 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** 03/06/10

Specialist Implications Officer(s) None

Wards Affected: Acomb and Heworth

All

For further information please contact the author of the report

Annexes

Annex 1 – decisions of the Executive Member on the called-in item (extract from decision list published on 2/6/10)

Annex 2 – report to Executive Member Decision Session held on 1/6/10

Background Papers

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