

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

**23 April 2012**

Report of the Assistant Director, Governance and ICT

**Called-in Item: Water End/Clifton Green Junction: Options for Reinstating a Separate Left Turn Traffic Lane on the Water End Approach**

**Summary**

1. This report sets out the reasons for the call-in of the decisions made by the Cabinet on 3 April 2012 in relation to the above junction. The report to the meeting had presented the findings of the consultation exercise undertaken with local residents and interest groups on two of the reinstatement options in respect of the Water End/Clifton Green Junction. This cover report sets out 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 Cabinet meeting is attached as Annex A to this report. This sets out the decisions taken by the Cabinet on the called-in item. The original report to the Cabinet on the called-in item is attached as Annex B to this report.
3. The Cabinet's decisions have been called in by Cllrs D'Agorne, Taylor and Hyman for review by the Scrutiny Management Committee (SMC) (Calling-In), in accordance with the constitutional requirements for call-in. The reasons given for the call-in are on the following grounds:
  - a) *Failure to give due consideration to the representations of all three emergency services and the outcome of the public consultation*
  - b) *Failure to take full account of the safety implications and potential increase in cycle accidents given the doubling of*

*users since the left turn layout was last in place prior to the changes*

- c) Decision is contrary to the council's transport hierarchy and priorities for increasing the use of non motorised means of transport, risking damage to the overall strategy by devaluing the orbital cycle route as a high quality strategic cycle route*
- d) Decision is likely to undermine confidence of external funders in financing sustainable travel initiatives in the city*
- e) Decision will not achieve the reason given "To address the issue around traffic congestion caused by the external layout at the Water end junction" as Cllr Merrett stated to the cabinet meeting that the junction will continue to be overloaded at peak times after the proposed change is made.*
- f) Decision could lay the council open to potential injury /corporate manslaughter claims by making changes that safety audit has indicated would create greater risks for vulnerable road users. (ref Death at Kings Cross, London Oct 2011 and potential case against TfL)*
- g) Decision will not achieve the objective of reducing delays in the long term and does not address the concern about 'rat running' through Westminster Rd/ The Avenue which will continue unless a trial closure is introduced at the same time as any increase in capacity at the junction.*

## **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) members 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 Cabinet in respect of the report. If this option is chosen, the original decisions taken on the item by Cabinet at their meeting held on 3 April 2012 will be confirmed and will take effect from the date of the SMC (Calling-In) meeting; or
- b. To make specific recommendations to the Cabinet on the report, in light of the reasons given for the call-in. If this option is chosen, the matter will be reconsidered by the Cabinet at a meeting of Cabinet (Calling-In) to be held on 15 May 2012.

### **Analysis**

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

### **Council Plan**

7. An indication of the Council Plan Priorities to which the Cabinet's decisions are expected to contribute is provided in paragraph 24 of Annex B 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 decision made by the Cabinet or refer the matter back for reconsideration and make specific recommendations on the report to the Cabinet.

**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** 12 April 2012

**Specialist Implications Officer(s)** None

**Wards Affected:** Clifton

**All**

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

**Annexes**

Annex A – Decision of the Cabinet on the called-in item (extract from the decision list published on 4 April 2012).

Annex B – Report to the Cabinet on 3 April 2012 including Annexes A to J.

**Background Papers**

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