



Report Reference Number: C/20/7

To: Council
Date: 22 September 2020
Ward(s) Affected: All
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Lead Officer: Alison Hartley, Solicitor to the Council
Lead Executive Councillor David Buckle, Lead Executive Member:
Member for Communities and Economic Development

Title: Call-In of Executive Decision Relating to the Review of Car Parking Tariffs (Covering Report)

Summary:

The Scrutiny Committee called in the decision made in respect of report E/20/9 – Review of Car Parking Tariffs 2020 which was made by the Executive at their meeting on 3 September 2020. They discussed the call in at their meeting on 17 September and resolved to refer the Call-In to Council for consideration.

Recommendations:

Council is asked to consider the Call-In referral from the Scrutiny Committee and agree one of the following options:

- **Not object to the decision made by the Executive which will mean the decision will become effective with immediate effect; or,**
- **Refer the decision back to the Executive with Council's views on the decision**

Reasons for recommendation

To ensure the Call-In procedure is followed as outlined in the Constitution.

1. Introduction and background

- 1.1 A Call-In request was received from Councillors Duckett, Franks, Nichols, Packham, Jennifer Shaw-Wright, Steve Shaw Wright and Welch. The request

asks the Scrutiny Committee to consider the decision made by the Executive at their meeting on 3 September 2020 in respect of report E/20/9 – Review of Car Park Tariffs 2020. The report considered by the Executive is attached at Appendix A and the draft minutes of the Executive are attached at Appendix B.

1.2 The Scrutiny Committee considered the Call In at their meeting on 17 September 2020 and resolved to refer the decision to Council. The draft minutes of the Scrutiny Committee are attached at Appendix C

2. The Report

2.1 The Constitution states that Call-In should only be used where Councillors have evidence which suggests that the decision-maker(s) did not take the decision in accordance with the principles set out in Article 13 of the Constitution.

2.2 The decision made in respect of the Review of Car Park Tariffs 2020 was called in on the following grounds:

- All the relevant matters have not been fully taken into account in reaching a decision (Article 13.1 (b)).

2.3 In referring the decision to Council, the Scrutiny Committee provided the following reasons:

- the Committee were not convinced of the fullness of the report or the meaning behind the description of the ‘fragile economy’ of Tadcaster;
- concerns around the split between Selby and Tadcaster;
- the lack of consultation with local communities in Selby, Tadcaster and Sherburn; and
- that the report does not mention clearly that cash payments will still be available.

2.4 If Council considers the matter and does not object to the decision that has been made, no further action will be necessary and the decision will become effective with immediate effect.

2.5 If Council does object to the decision, it has no provision to make changes in respect of an Executive decision unless it is contrary to the policy framework or contrary to or not wholly consistent with the budget.

2.6 If the Council does object and unless it considers the wording in paragraph 2.5 to be the case, it will refer the decision back to the Executive, together with the Council’s views on the decision. Following this, within 20 clear working days of receiving the views of the Council, the Executive shall decide whether to amend the decision or not before implementing it.

2.7 The rules of Call-In are outlined in Part four of the Constitution.

3. Implications

3.1 Legal Implications

3.1.1 Any legal issues are covered in the original report E/20/9 which was considered by the Executive.

3.2 Financial Implications

3.2.1 Any financial issues are covered in the original report E/20/9 which was considered by the Executive.

4. Conclusion

Council is asked to consider the Call-In referral from the Scrutiny Committee and decide what course of action is appropriate.

5. Background Documents

None

6. Appendices

Appendix A – Review of Car Parking Tariffs 2020 report.

Appendix B – Minute Extract from the Executive meeting on 3 September 2020.

Appendix C – Minute Extract from the Scrutiny Committee meeting on 17 September 2020

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