

Agenda Item 49.

TITLE	Call-In of Executive Decision – Off Street Car Park Charges
FOR CONSIDERATION BY	Overview & Scrutiny Management Committee on 25 October 2022
WARD	None Specific;
LEAD OFFICER	Deputy Chief Executive - Graham Ebers

PURPOSE OF REPORT

The Call-In process exists to ensure that key decisions are taken in line with agreed principles set out in the Council's Constitution relating to, for example, openness, consultation and proportionality. The Call-In process provides public confidence in the Council's decision making process.

RECOMMENDATION

The Committee is asked:

- 1) to consider the Call-In request relating to the Executive decision on Off Street Car Park Charges and the officer response to the Call-In;
- 2) having considered the Call-In and relevant evidence, determine whether to confirm the Executive decision or refer the matter back to the Executive for further consideration, with recommendations as appropriate.

SUMMARY OF REPORT

In accordance with the Council's Constitution, five non-Executive Members of the Council have submitted a formal notice "calling-in" the Executive Decision relating to proposed changes to Off Street Car Park Charges.

The decision was taken at the Executive meeting on 29 September 2022.

The Executive decision was:

"That the Executive agreed to increase the parking charges as detailed in the amended report, (which included a schedule of revisions on page 11) circulated and published as a supplementary paper."

The report sets out details of the Council's Call-In procedure, the procedure to be followed at the meeting and the options available to the Committee following consideration of the evidence.

Background

At its meeting on 29 September 2022, the Executive considered a report on Off Street Car Parking Charges.

The report stated that the Council had not increased off street car parking charges since 2018 unlike many other local authorities. Although this had been generally welcomed, the current tariffs had not been subject to inflationary increases in line with the Council's other fees and charges.

The income collected for car parking was essential in helping to maintain the Borough's roads and footways to ensure that they are of high quality and safe for all users. If the fees and charges are not increased the Council's ability to continue to maintain the highway to current standards will be compromised significantly.

Current predictions for 2022/23 estimated a loss of income of between £0.6m and £0.8m and, although it was hoped that parking usage would increase over time, there was no guarantee as the new hybrid ways of working for many people did not appear to be showing any signs of reverting back to the pre-pandemic position.

This was a significant reduction in income and the proposals detailed within the reports was primarily to address the shortfall to ensure that the Council could sustain highway services which the residents of the Borough had benefitted from over the past few years.

The report stated that the current fees and charges for car parking in the Borough were some of the lowest regionally, if not nationally. Benchmarking information within Appendix 1 to the report listed comparable local authority data in greater detail.

It was noted that, even with the proposed increases, the Borough's parking charges would remain at the lower end of the scale compared with other local authorities.

The Executive report and supplementary papers are appended to this report. The Executive decision was:

"That the Executive agreed to increase the parking charges as detailed in the amended report, (which included a schedule of revisions on page 11) circulated and published as a supplementary paper."

Decision Making Principles

Section 1.4.2 of the Constitution states that all decisions of the Council will be made in accordance with the following principles:

- a) proportionality (i.e. the action must be proportionate to the desired outcome);
- b) due consultation and the taking of professional advice from Officers;
- c) human rights will be respected and considered at an early stage in the decision making process;
- d) a presumption in favour of openness;
- e) clarity of aims and desired outcomes; and

- f) when decisions are taken by the Executive, details of the options which were taken into account and the reasons for the decision will be recorded.

Call-In Details

In line with the Council's Constitution, the Executive Decision was called-in on 30 September 2022. The Call-In was submitted by Councillors Anne Chadwick, Michael Firmager, Abdul Loyes, Bill Soane and Shahid Younis.

The Call-In was submitted on the basis that the decision had contravened Section 1.4.2 b), d) and f) of the Council's Constitution. It also referred to a breach of the rules relating to the Executive Forward Programme, i.e. that a copy of the relevant Executive Forward Programme had not been circulated to all Members in accordance with the timeframe set out in the Constitution.

The detailed Call-In paper is appended to the report.

Officer Response to the Call-In

Officers have produced a report which addresses the points made in the Call-In paper. The officer response is set out at Agenda item 50.

Call-In Procedure

The procedure to be followed at the Overview and Scrutiny Call-In meeting is as follows:

- The Overview and Scrutiny Committee Management Committee Chair explains the purpose and structure of the meeting;
- One of the five non-Executive Members who called-in the decision outlines the reasons for the Call-In;
- Witnesses can be called as necessary (with the agreement of the Chair) and can make a short presentation to the Committee;
- Members of the Committee can ask questions of the non-Executive Member and any witnesses;
- The relevant Executive Member (supported by Officers) responds to the points made in the Call-In;
- Witnesses can be called as necessary (with the agreement of the Chair) and can make a short presentation to the Committee;
- Members of the Committee can ask questions of the Executive Member, Officers and any witnesses;
- The Executive Member sums up the response to the Call-In;
- One of the five non-Executive Members sums up the Call-In;
- The Committee considers the evidence submitted, draws its conclusions and decides whether to confirm the Executive decision or recommend that the Executive reconsiders the decision (with appropriate recommendations).

The Overview and Scrutiny Management Committee cannot overturn the decision/s subject to Call-In. If the Committee has concerns, it can refer the decision/s back to the Executive for further consideration with any recommendations the Committee has agreed. If the decision/s are referred back, the Executive should meet to carry out the reconsideration within 20 working days.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe funding pressures, particularly in the face of the COVID-19 crisis. It is therefore imperative that Council resources are focused on the vulnerable and on its highest priorities.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	0	N/A	N/A
Next Financial Year (Year 2)	0	N/A	N/A
Following Financial Year (Year 3)	0	N/A	N/A

Other Financial Information relevant to the Recommendation/Decision

The financial impact of the Executive decision is set out in the supporting reports.

Cross-Council Implications

Set out in the Executive reports

Public Sector Equality Duty

Considered as part of the Executive reports

Climate Emergency

Considered as part of the Executive reports

List of Background Papers

Reports submitted to the Executive on 29 September 2022

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