

REPORT FOR: **CABINET**

Date of Meeting:	18 November 2013
Subject:	Parking Review: 20 Minutes Free Parking Initiative – Referral by Call-In Sub-Committee
Key Decision:	Yes (this is a re-consideration of the key decision made by Cabinet on 17 October 2013)
Responsible Officer:	Hugh Peart, Director of Legal and Governance Services
Portfolio Holder:	Councillor Susan Hall – Leader of the Council
Exempt:	No
Decision subject to Call-in:	No/Yes (please see end of report)
Enclosures:	Appendix 1 – Call-In Notice by 6 Members of Council Appendix 2 – Minutes of the Call-In Sub Committee – 5 November 2013 Appendix 3 – Cabinet Minute Extract – 17 October 2013 Appendix 4 – Cabinet Report

Section 1 – Summary and Recommendations

This report sets out the decision of the Call-In Sub-Committee held on 5 November 2013 following the receipt and consideration of a Call-In notice in relation to the Cabinet decision of 17 October 2013 on Parking Review: 20 Minutes Free Parking Initiative.

Recommendations: That

- (1) in accordance with Committee Procedure Rule 46.8.3, the decision of Cabinet on 17 October 2013, as set out in Appendix 3, in relation to Parking Review: 20 Minutes Free Parking Initiative be re-considered as result of the decision of the Call-In Sub-Committee;**
- (2) the original Cabinet decision of 17 October 2013 be confirmed or amended in light of the Call-In Sub-Committee's comments.**

Reason (For recommendation): In accordance with Committee Procedure Rule 46.8.3, Cabinet must reconsider its decision within 10 clear working days of a referral by the Call-In Sub-Committee.

Section 2 – Report

On 17 October 2013, Cabinet agreed that the review of the Rayners Lane free parking trial, as set out in the report, be noted; and that, having considered the implications of on-street free parking borough-wide and reviewed the options available, the preferred option be agreed, namely: do not implement 20 minutes free parking in the borough and remove the Rayners Lane trial of 20 minutes free parking. The report considered by Cabinet is attached at Appendix 4.

On 25 October 2013, a Call-In Notice signed by 6 Members of Council (5 Labour and 1 Independent Labour) was received citing the grounds of (a) inadequate consultation with stakeholders prior to the decision; (b) the absence of adequate evidence on which to base the decision; (c) the decision was contrary to the policy framework, or not wholly in accordance with the budget framework; (d) the action was not proportionate to the desired outcome; (e) a potential human rights challenge; and (f) insufficient consideration of legal and financial advice. The Call-In Notice is attached at Appendix 1. Grounds (a), (b), (d) and (f) having been validated, a meeting of the Call-In Sub-Committee was held on 5 November 2013 to consider the Call-In notice. The subsequent reference arising from the Sub-Committee meeting is attached at Appendix 2 for Cabinet Members' consideration.

The Sub-Committee agreed that the call-in on ground (a) be upheld as the business community and ward councillors had not been consulted. They also agreed that the remaining grounds for call-in, (b), (d) and (f) be upheld for the following reasons:

- detailed financial information was provided in the report;
- financial viability was a main driver in determining the decision;
- it was not appropriate to consider money received from penalty charge notices as parking income and this money should not have been taken into account in reaching the decision.

In accordance with Committee Procedure Rule 46.8.3, Cabinet must reconsider its original decision within 10 clear working days of a referral by the Call-In Sub-Committee. Cabinet is requested to either confirm or amend its decision of 17 October in relation to this matter.

Options considered

Cabinet are requested to either confirm or amend the decision of 17 October 2013 having considered the referral by the Call-In Sub-Committee.

Legal Implications

As set out in the Cabinet report.

Financial Implications

As set out in the Cabinet report.

Performance Issues

As set out in the Cabinet report.

Environmental Impact

As set out in the Cabinet report.

Risk Management Implications

As set out in the Cabinet report.

Equalities implications

As set out in the Cabinet report.

Corporate Priorities

To deliver a cleaner, safer and fairer Harrow

Section 3 - Statutory Officer Clearance

Name: Simon George ☒ Chief Financial Officer

Date: 12 November 2013

Name: Matthew Adams ☒ on behalf of the
Monitoring Officer

Date: 12 November 2013

Section 4 – Performance Officer Clearance

Name: David Harrington ☒ on behalf of the
Divisional Director
Strategic Commissioning

Date: 12 November 2013

Section 5 – Environmental Impact Officer Clearance

Name: Andrew Baker ☒ Head of Climate Change

Date: 12 November 2013

Section 6 - Contact Details and Background Papers

Contact:

Una Sullivan

Democratic and Electoral Services Officer

Tel: 020 8424 1785

Email: una.sullivan@harrow.gov.uk

Background Papers:

Minutes of the Call-In Sub-Committee – 5 November 2013

<http://www.harrow.gov.uk/www2/documents/g62285/Printed%20minutes%20Tuesday%2005-Nov-2013%2018.30%20Call-In%20Sub-Committee.pdf?T=1>

**Call-In Waived by the
Chairman of Overview
and Scrutiny
Committee**

NOT APPLICABLE

**Call-in does not apply if
original decision of
Cabinet on 17 October
2013 is confirmed
unchanged.**

**However, if original
decision is amended
Call-in will apply.**