

<b>SUBJECT</b>	Station Road Car Park, Gerrards Cross - Call-in of Cabinet Decision
<b>RELEVANT MEMBER</b>	Leader – Cllr Nick Naylor/ Cabinet Member for Resources- Cllr Barbara Gibbs
<b>RESPONSIBLE OFFICER</b>	Mat Bloxham Democratic & Electoral Services Manager 01494 732143; mat.bloxham@southbucks.gov.uk
<b>REPORT AUTHOR</b>	Clare Gray Senior Democratic Services Officer 01895 837529 clare.gray@southbucks.gov.uk
<b>WARD/S AFFECTED</b>	All

## 1. Purpose of Report

To enable the Overview and Scrutiny Committee to review the decision taken by Cabinet on 17 October to approve the final business case for provision of additional parking in Station Road Car Park, Gerrards Cross, following a valid notice of call-in received by the Democratic and Electoral Services Manager.

### RECOMMENDATION:

**That the Overview and Scrutiny Committee is invited to consider which of these recommendations it wishes to agree:-**

- a. Over-rule the call-in and allow the Cabinet's decision relating to Station Road Car Park in Gerrards Cross to stand and for implementation to proceed; or**
- b. remit the matter back to Cabinet for reconsideration at the next appropriate meeting with an explanation of the Committee's concerns and any specific considerations that need to be taken into account on re-consideration.**

## 2. Executive Summary

The Cabinet took a decision relating to the Gerrards Cross Car Park and approved the following recommendations:-

1. the final business case for the project be approved.
2. the construction period would be January-December 2020 unless agreement could be reached to allow the car park to be closed over the 2019 Christmas trading period, be noted.
3. the Head of Environment be authorised to conclude the delivery agreement between Balfour Beatty and the Council for the construction phase.

4. the Head of Finance be authorised to carry out the necessary arrangements to obtain the loan finance.

The Cabinet also recommended to Council that the Capital Programme for the Station Road Car Park be amended to £5,000,000 for 2019/20 and £8,051,000 for 2020/21.

The decision was published in a Cabinet Decision Notice dated 18 October 2018 and called-in within the timescale by six Councillors in accordance with the Council's Overview and Scrutiny Procedure Rules.

### **3. Reasons for Recommendations**

The Council's Overview and Scrutiny Procedure Rules provide at paragraph 4.1 that where a Cabinet decision is called-in to the Overview and Scrutiny Committee for consideration the Committee can either over-rule the call-in and allow the earlier decision to stand and implementation to proceed, or remit the matter back to Cabinet for reconsideration at the next appropriate meeting with an explanation of the Committee's concerns and any specific considerations that need to be taken into account in re-consideration.

### **4. Content of Report**

4.1 Call-in provides a mechanism for councillors to review a decision made by Cabinet. The relevant rules adopted by the Council for call-in are attached at Appendix 1 for ease of reference and provide that a Cabinet decision can be called-in by a request received from at least 5 members of the Council within 5 working days of the decision being published.

4.3A Notice of the decisions taken by the Cabinet meeting on 17 October was published on 18 October and the call-in period expired at midnight on 25 October 2018.

4.4A valid notice of call-in was received from Councillors Chhokar Dhillon, Harding, Hollis, Reed and Sandy in respect of the Cabinet's decision on Station Road Car Park in Gerrards Cross. A copy of the relevant decision and the report to Cabinet are attached at Appendix 2.

4.5 The following reasons for the call-in were given:-

- Concerns regarding the business case which were discussed recently at the Resources Policy Advisory Group on 25 September 2018. Two Members at this meeting expressed concern over the assumptions of usage and consequently whether this scheme was a good use of taxpayer's money.

- Communications and consultation with local residents
- Concerns regarding the amount of money being borrowed for the Project and the risks associated with this, should be considered by the Overview and Scrutiny Committee, particularly bearing in mind the possibility of Local Government reorganisation.
- Concerns that the full details of alternative schemes and options have not been fully considered by Members and the reasons for rejecting them e.g. a mixed use scheme would be more appropriate for the locality and proportionate to the actual likely demand for car parking, which could reduce in the future due to new technology.

4.6 Under the Overview and Scrutiny procedure Rules a meeting of the Overview and Scrutiny Committee must be convened within 15 days of receipt of the call-in request. As no ordinary meeting of the Committee was due to be held during this period an extraordinary meeting has been convened in consultation with the Chairman of the Committee. Members of the Committee are therefore asked to review the decision taken by Cabinet on 17 October 2018.

4.7 The procedure to be followed during the meeting is set out in the Procedure Rules as follows:-

- Members who requested the call-in will be invited to attend to explain the ground/s for the call in request and refer to any written representations. The written reasons for the request are included in paragraph 4.5 above.
- The Leader/Deputy Leader in the absence of the relevant Portfolio Holder (Cabinet Member for Resources) will also be invited to attend the meeting to respond to the call-in request and set out the case for the decision made.
- The Committee will consider any written representations and verbal evidence they have heard during the meeting.
- A vote can be taken to decide whether the Committee wish to recommend a) or b) as listed under the above recommendation.

## **5 Consultation**

Not Applicable

## **6 Options (*if any*)**

The options for Overview and Scrutiny Committee are set out in the above recommendations

## **7. Corporate Implications**

Not applicable

## **8. Links to Council Policy Objectives**

In terms of the call- in process the Service Plan states that all business is carried out in accordance with law and the Council's constitution.

## **9. Next Steps**

- If the Overview and Scrutiny Committee decide that the decision should stand then implementation can proceed.
- If the matter is referred back to Cabinet for reconsideration the next meeting of Cabinet is on 12 December 2018, unless Cabinet requires more time to consider the Committee's recommendations. If so the Chairman of the Overview and Scrutiny Committee can agree to such a request after consultation with the Members of the Committee.
- If Cabinet considers that no changes should be made to the earlier decision Cabinet will notify Council of its decision.
- A decision can only be called in once, unless the original decision is substantially amended other than in accordance with the Committee's recommendation/s.