

Internal Scrutiny Committee

Meeting to be held on Thursday, 19 September 2019

Electoral Division affected: (All Divisions);
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Call In Request: Lancashire County Council (Various Roads, Chorley, Fylde, Lancaster, Preston, Ribble Valley, South Ribble and West Lancs) (Revocations and Various Parking Restrictions November 2018 (No 1)) Order 201* (Annexes 'A and 'B' refer)

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Executive Summary

On 5 September 2019, Cabinet received and approved recommendations contained in a report (as at Annex 'A') entitled Lancashire County Council (Various Roads, Chorley, Fylde, Lancaster, Preston, Ribble Valley, South Ribble and West Lancs) (Revocations and Various Parking Restrictions November 2018 (No1)) Order 201.

Following requests from five County Councillors in accordance with the "Call In" procedures, the Deputy Chair of the Internal Scrutiny Committee has called a meeting to consider calling in the decision, specifically in relation to parking restrictions to Horrobin Lane, Rivington Lane and Sheephouse Lane (in the vicinity of Rivington Foundation Primary School).

Recommendation

In accordance with the Call In procedures contained in Overview and Scrutiny Procedural Standing Orders E1-2, the Internal Scrutiny Committee is asked to consider:

1. Whether or not to request Cabinet reconsider the decision made on 5 September 2019 to approve the recommendations as set out in the report below.
2. If so, to determine the grounds on which the request is to be based.

Background and Advice

On 5 September 2019, Cabinet received a report on the making of a Traffic Regulation Order introducing the parking restrictions on the various lengths of road within the Chorley, Fylde, Lancaster, Preston, Ribble Valley, South Ribble and West Lancashire Districts.

Cabinet resolved that:

The making of a Traffic Regulation Order introducing the parking restrictions on the various lengths of road within the Chorley, Fylde, Lancaster, Preston, Ribble Valley, South Ribble and West Lancashire Districts as detailed within the report, be approved.

On Tuesday 10 September 2019, the Chief Executive received a request, signed by five County Councillors representing more than one single political group, for the Internal Scrutiny Committee to consider whether this decision, specifically in relation to the proposal for Horrobin Lane, Rivington Lane and Sheep House Lane, Rivington should be the subject of a Call In.

The request was received in accordance with Overview and Scrutiny Procedural Standing Orders E1-2 from County Councillors Kim Snape, Steve Holgate, Hasina Khan, Liz Oades and David Howarth. The decision cannot now be implemented until the call-in procedure is completed.

Standing Order E2(5) requires those requesting the special meeting to specify how the decision has breached one or more of the Principles of Decision Making set out at Standing Order A4. These are that all decisions of the council, including Cabinet and Committees, will be:

- (a) proportionate in all ways, including financially, to the issues under consideration and to the desired outcome;
- (b) based on appropriate consultation and professional officer advice;
- (c) In line with our duties around Human Rights and equality and diversity;
- (d) clear in terms of aims and outcomes;
- (e) in line with the legal test of reasonableness; and
- (f) made with all relevant information being available to the decision makers, and, where appropriate, other councillors and the public.

The reasons for this request as submitted by the above members are as follows:

"We request that Item 11 of the Cabinet meeting of 5 September 2019 in particular reference to the proposal for Horrobin Lane, Rivington Lane and Sheeplouse Lane, Rivington is called in to ask cabinet to review the decision. We believe the council has breached its "Principles of Decision Making" under the following points:

"B. based on appropriate consultation and professional officer advice – appropriate consultation left a lot to be desired. Many people feel disenfranchised because they didn't have the opportunity to make their views known. The school, chapel and church had to find out about this second hand through other people. The residents who reside in Rivington village who will be impacted by these proposals because all the school and church traffic will move to the front of their homes have not been consulted either. Furthermore we are also not aware of any formal consultation having taken place with United Utilities locally. They are the main land owner in the

area and I believe have schemes in the pipeline to try to attempt to charge for parking across the Rivington estate. We don't believe that cabinet took this into account in their deliberations".

To assist the Committee, the Call In procedures contained in Overview and Scrutiny Procedural Standing Orders E1-2 are attached as at Annex 'B'. Of particular relevance are the requirements that the Committee must determine at the meeting whether or not to request that the decision be reconsidered, and if so to determine the grounds upon which the request is based.

The Committee is required to meet within seven clear working days of the request to consider the Call In being received, and a special meeting has therefore been scheduled for Thursday 19 September 2019.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

There are no significant risk management implications arising from this item.

However, the risk management and other implications associated with the decision are set out in Annex 'A' to this report.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A