

Blaby District Council
Scrutiny Commission

Date of Meeting	8 October 2024
Title of Report	Call-in of Blaby District Council (Off-Street Parking Places) Order 2024
Report Author	Senior Democratic Services & Scrutiny Officer

1. What is this report about?

- 1.1 The Blaby District Council (Off-Street Parking Places) Order 2024 report and decisions that were made by Cabinet Executive on Monday 16 September 2024 have been called in.
- 1.2 The required written justification as set out in the Council's Constitution, was provided and supported by three non-Executive Members of the Council. The written justification was considered and supported by the Scrutiny Commissioners at their meeting on Monday 23 September 2024.

2. Recommendation(s) to Scrutiny Commission

- 2.1 The Call-in procedure, (as detailed at Part 4, Section 5 of the Constitution) sets out the following options available for Scrutiny Commission to consider:
 1. The decision of the Cabinet Executive is appropriate and therefore the decision becomes effective immediately.
 2. Commission considers that the decision should be referred back to Cabinet with written details of the Scrutiny Commission's concerns. Cabinet will then re-consider the issue and either amend it in the light of those concerns or decide that the original decision stands. The decision then becomes effective immediately. It is not subject to further call-in.
 3. Commission Members consider that the decision should be referred to Council for consideration. Such referrals can only take place in respect of Cabinet decisions which are considered to be contrary to the policy framework or budget.

3. Reason for Decision(s) Recommended

- 3.1 Call-in is a matter reserved under the Constitution for consideration by Scrutiny Commission.

4. Matters to consider

4.1 Background

The Blaby District Council (Off-Street Parking Places) Order 2024 report was considered by Cabinet Executive at its meeting on Monday 16 September 2024.

The proposed recommendations as set out in the report were:

2.1 To approve The District of Blaby (Off-Street Parking Places) Order 2024.

2.2 To delegate authority to the Environmental Health, Housing & Community Services Group Manager, in consultation with the Portfolio Holder, to make minor amendments to the District of Blaby (Off-Street Parking Places) Order 2024 prior to implementation.

Reasons:

3.1 There is a statutory process to be followed to introduce any changes to the way in which the Council regulates its car parks.

3.2 To allow for any small changes to be made to the car parking Order after the statutory consultation periods have taken place.

The Housing, Community Safety and Environmental Services Portfolio Holder, Cllr. Les Phillimore proposed an amendment to recommendation 2.2 of the report: 'Following the consultation the final decision is to return to Cabinet Executive to make minor amendments to the District of Blaby (Off-Street Parking Places) Order prior to implementation.'

The amendment was supported and agreed at the meeting. The report and associated appendix have been attached as Appendix A to this report.

A call-in request was received by Cllr. Antony Moseley and supported by Cllr. Luke Cousin and Cllr. Hannah Gill. The reasons for the call-in are set out below:

The amendment does not change the need to call the proposal in. Whilst the council continues to see itself in challenging financial position, introducing charges to plug the gap should not be in consideration. The proposed charges do not align with the Visit element of the newly adopted Blaby District Plan. Blaby District is able to still make the statement - All of our parks are free to use, and everyone is welcome - and should endeavour to maintain this.

The report outlines that

Once it reopens, we are proposing to introduce car parking charges to help contribute towards the cost of maintaining and enhancing the park.

Clarity is needed on what additional maintenance costs would be needed compared to the existing amount in the budget.

Clarity is needed on additional enhancement are planned.

The Scrutiny Chairman, Cllr. Nick Brown and Vice-Chairman, Cllr. Neil Wright met at their Scrutiny Commissioners meeting and supported the call-in, and requested the following additional information from the Portfolio Holder:

- 1. Clarity on the purpose of the amendment to Recommendation 2.2- it is unclear what the amendment was proposed to achieve, what was the intention?*
- 2. Financial implications- Forecast of income generated from levying charges on Bouskell Park and the cost of enforcement.*

As the reasons set out above relate to both the Off-Street Parking Places Order and the Parks and Open Strategy, Cllr Les Phillimore (as relevant Portfolio Holder) and Cllr Nigel Grundy as the Portfolio Holder for Parks and Open Spaces have been invited to the Scrutiny Commission meeting.

4.2 Proposal(s)

That Scrutiny Commission consider the call-in and decide which of the following three decisions to take:

1. The Scrutiny Commission meets and considers that the decision is appropriate - the decision will then become effective immediately.
2. The Scrutiny Commission considers that the decision should be referred back to Cabinet with written details of the Scrutiny Commission's concerns. Cabinet will then re-consider the issue and either amend it in the light of those concerns or decide that the original decision stands. The decision then becomes effective immediately. It is not subject to further call-in.
3. The Scrutiny Commission considered that the decision should be referred to Council for consideration. Such a referral can only take place in respect of Cabinet Executive decisions which are considered to be contrary to the policy framework or budget. An Extraordinary Council Meeting will need to be convened as soon as possible for consideration of the item, with Council then having the option of referring the decision back for further consideration by the decision-maker.

4.3 Relevant Consultations

- Cllr. Terry Richardson – Leader of the Council.
- Cllr. Les Phillimore – Housing, Community Safety and Environmental Services Portfolio Holder.
- Cllr. Nigel Grundy - Neighbourhood Services & Assets Portfolio Holder.
- Cllr. Nick Brown – Chairman of Scrutiny Commission.

- Cllr. Neil Wright – Vice-Chairman of Scrutiny Commission.
- Cllr. Antony Moseley, Cllr. Luke Cousin, Cllr. Hannah Gill.
- Executive Director – Communities.
- Environmental Health, Housing & Community Services Group Manager.
- Neighbourhood Services & Assets Group Manager.

4.4 Significant Issues

None

4.5 In preparing this report, the author has considered issues related to Human Rights, Legal Matters, Human Resources, Equalities, Public Health Inequalities and there are no areas of concern.

5. Environmental impact

5.1 No Net Zero and Climate Impact Assessment (NZCIA) is required for this report.

6. What will it cost and are there opportunities for savings?

6.1 None in the context of this report.

7. What are the risks and how can they be reduced?

7.1 None.

8. Other options considered

8.1 No other options were considered.

9. Appendix

9.1 Appendix A – Blaby District Council (Off-Street Parking Places) Order 2024 report and appendix.

9.2 Appendix B – Minutes of the Cabinet Executive meeting (16 September 2024)

9.3 Appendix C – Schedule of Executive Decisions Notice

10. Background paper(s)

10.1 [Parks and Open Spaces Strategy \(Approved 15 January 2024\)](#)

11. Report author's contact details

Sandeep Tiensa	Senior Democratic Services & Scrutiny Officer
sandeep.tiensa@blaby.gov.uk	0116 272 7640