

SCRUTINY BOARD (ENVIRONMENT AND NEIGHBOURHOODS)

Call-In Meeting to be held in the Civic Hall, Leeds on Tuesday, 24th June, 2008 at 10.00 am

MEMBERSHIP

Councillors

B Anderson (Chair) - Adel and Wharfedale

A Blackburn - Farnley and Wortley

A Castle - Harewood

B Cleasby - Horsforth

A Gabriel - Beeston and Holbeck

D Hollingsworth - Burmantofts and

Richmond Hill

G Hyde - Killingbeck and

Seacroft

J Langdale - Temple Newsam

J Marjoram - Calverley and

Farsley

J McKenna - Armley

M Rafigue - Chapel Allerton

A Taylor - Gipton and Harehills

Please note: Certain or all items on this agenda may be recorded on tape

Stuart Robinson

Agenda compiled by: Governance Services

Civic Hall

LEEDS LS1 1UR

Telephone No: 247 4360

Principal Scrutiny Adviser:

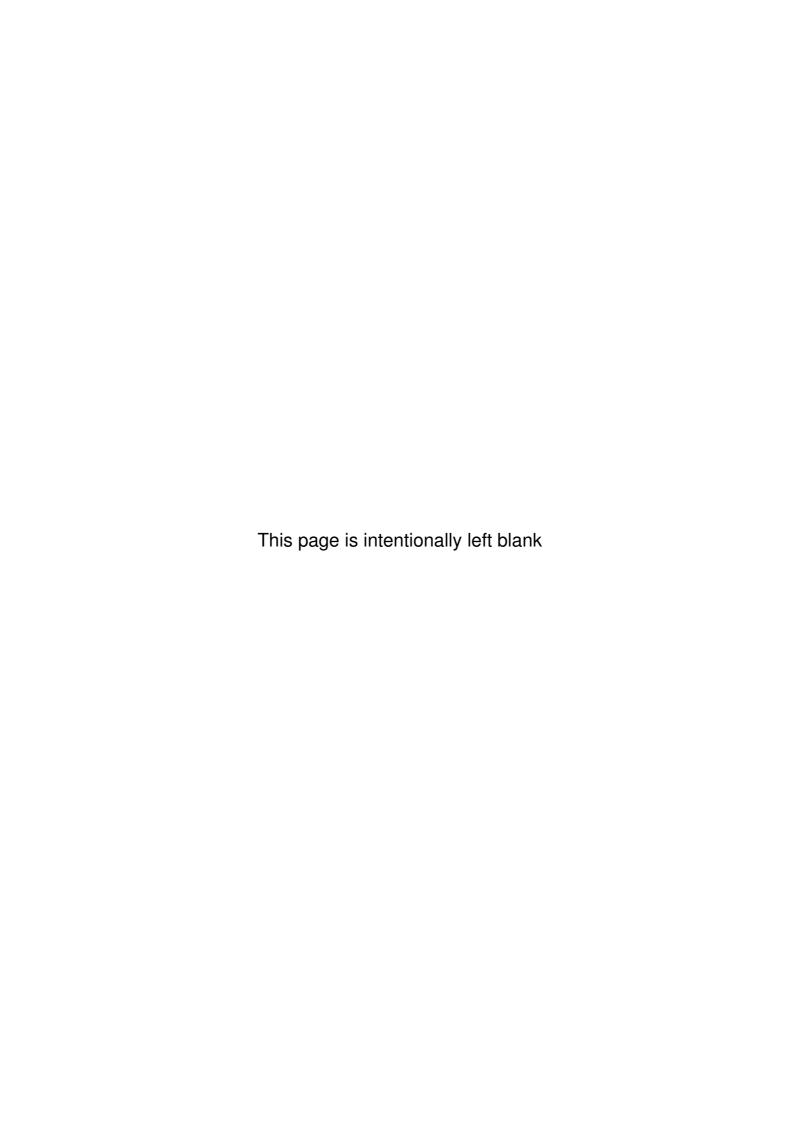
Sharon Winfield

Telephone No: 2474792

AGENDA

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC	
			To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.	
			2 To consider whether or not to accept the officers recommendation in respect of the above information.	
			3 If so, to formally pass the following resolution:-	
			RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-	
			No exempt items or information have been identified on this agenda	
2			APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS	
			To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded.)	
			(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			LATE ITEMS	
			To identify items which have been admitted to the agenda by the Chair for consideration.	
			(The special circumstances shall be specified in the minutes.)	
4			DECLARATIONS OF INTEREST	
			To declare any personal / prejudicial interests for the purpose of Section 81 (3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct.	
5			APOLOGIES FOR ABSENCE	
			To receive any apologies for absence.	
6			CALL-IN OF DECISION - BRIEFING PAPER	1 - 4
			To consider a report of the Head of Scrutiny and Member Development.	
7			REVIEW OF DECISION - PARKING PRICE REVIEW (REFERENCE NUMBER D33892)	5 - 16
			In accordance with the Scrutiny Procedure Rules, to review the attached delegated decision of the Director of Environment and Neighbourhoods in relation to a review of parking facilities, including adjustment to prices.	
8			OUTCOME OF CALL-IN	
			In accordance with the Scrutiny Procedure Rules, to consider the Board's formal conclusions and recommendation(s) arising from consideration of the Called-In decision.	





Agenda Item 6

Originator: S Winfield

Tel: 24 74792

Report of the Head of Scrutiny and Member Development

Scrutiny Board (Environment and Neighbourhoods)

Date: 24th June 2008

Subject: CALL IN OF DECISION - BRIEFING PAPER

Electoral Wards Affected:	Specific Implications For:
	Equality and Diversity
	Community Cohesion
	Narrowing the Gap

1.0 INTRODUCTION AND BACKGROUND

- 1.1 In accordance with the Council's Constitution, an officer decision has been Called In.¹ The background papers to this particular decision are set out as a separate agenda item and appropriate witnesses have been invited to give supporting evidence.
- 1.2 This report advises the Scrutiny Board (Environment and Neighbourhoods) on the procedural aspects of Calling In the decision.
- 1.3 The Board is advised that the Call In is specific to the report considered under the officer delegation decision scheme and issues outside of this decision, including other related decisions, may not be considered as part of the Board's decision regarding the outcome of the Call In.

2.0 REVIEWING THE DECISION

- 2.1 The process of reviewing the decision is as follows:
 - Members who have requested the Call In invited to explain their concern/reason for Call In request.
 - Relevant Officer(s) asked to explain decision.
 - Further questioning from the Board as appropriate.
- 2.2 Members are reminded that it is only the decision Called In that the Board can make any recommendation on

¹ Scrutiny Board Procedure Rules Paragraph 22

OPTIONS AVAILABLE TO THE BOARD

3.1 Having reviewed the decision, the Scrutiny Board (Environment and Neighbourhoods) will need to agree what action it wishes to take. In doing so, it may pursue one of three courses of action as set out below:

Option 1- Release the decision for implementation

3.2 Having reviewed this decision, the Scrutiny Board (Environment and Neighbourhoods) may decide to release it for implementation. If the Scrutiny Board (Environment and Neighbourhoods) chooses this option, the decision will be immediately released for implementation and the decision may not be Called In again.

Option 2 - Recommend that the decision be reconsidered.

- 3.3 The Scrutiny Board (Environment and Neighbourhoods) may decide to recommend to the decision maker that the decision be reconsidered. If the Scrutiny Board (Environment and Neighbourhoods) chooses this option a report will be submitted to the decision maker.
- 3.4 In the case of a delegated decision, the report of the Scrutiny Board will be submitted to the appropriate Officer within three working days of this meeting. The Officer will reconsider his/her decision and will publish the outcome of his/her deliberations on the delegated decision system. The decision may not be Called In again whether or not it is varied.
 - Option 3 Recommend that the decision be reconsidered and refer the matter to full Council if recommendation not accepted.
- 3.5 This course of action would only apply if the Scrutiny Board (Environment and Neighbourhoods) determined that a decision **fell outside the Council's Budget and Policy Framework** and this determination were confirmed by the Council's Section 151 Officer (in relation to the budget) or Monitoring Officer (in relation to other policies).
- 3.6 If, at the conclusion of this meeting, the Scrutiny Board (Environment and Neighbourhoods) forms an initial determination that the decision in question should be challenged on the basis of contravening the Budget and Policy Framework, then confirmation will subsequently be sought from the appropriate statutory officer.
- 3.7 Should the statutory officer support the Scrutiny Board's (Environment and Neighbourhoods) determination, then the report of the Scrutiny Board (Environment and Neighbourhoods) will be presented in the same manner as for Option 2. If the decision maker accepts the recommendation of the Scrutiny Board in these circumstances, then the revised decision will be published in the same manner as for Option 2 and the decision may not be Called In again. If, however, the decision maker does not accept the recommendation of the Scrutiny Board (Environment and Neighbourhoods), then the matter will be referred to full Council for final decision. Decisions of full Council may not be Called In.
- 3.8 Should the appropriate statutory officer not confirm that the decision contravenes the Budget and Policy Framework, then the report of the Scrutiny Board would normally be progressed as for Option 2 (i.e. presented as a recommendation to the decision taker) but with no recourse to full Council in the event that the decision is not varied. As with Option 2, no further Call In of the decision would be possible.
- 3.9 However, the Scrutiny Board (Environment and Neighbourhoods) may resolve that, if the statutory officer does not confirm contravention of the Budget and Policy Framework, then it should be released for implementation in accordance with Option 1.

4.0 FAILURE TO AGREE ONE OF THE ABOVE OPTIONS

4.1 If the Scrutiny Board, for any reason, does not agree one of the above courses of action at this meeting, then Option 1 will be adopted by default, i.e. the decision will be released for implementation with no further recourse to Call In.

5.0 FORMULATING THE BOARD'S REPORT

- 5.1 If the Scrutiny Board decides to release the decision for implementation (i.e. Option 1), then the Scrutiny Support Unit will process the necessary notifications and no further action is required by the Board.
- 5.2 If the Scrutiny Board wishes to recommend that the decision be reconsidered (i.e. Options 2 or 3), then it will be necessary for the Scrutiny Board to agree a report setting out its recommendation together with any supporting commentary.
- 5.3 Because of the tight timescales within which a decision Call In must operate, it is important that the Scrutiny Board's report be agreed at the meeting.
- 5.4 If the Scrutiny Board decides to pursue either of Options 2 or 3, it is proposed that there be a short adjournment during which the Chair, in conjunction with the Scrutiny Support Unit, should prepare a brief statement proposing the Scrutiny Board's draft recommendations and supporting commentary. Upon reconvening, the Scrutiny Board will be invited to amend/agree this statement as appropriate (a separate item has been included in the agenda for this purpose).
- 5.5 This statement will then form the basis of the Scrutiny Board's report (together with factual information as to details of the Called In decision, lists of evidence/witnesses considered, Members involved in the Call In process etc).
- 5.6 The Scrutiny Board is advised that the there is no provision within the Call In procedure for the submission of a Minority Report.

6.0 RECOMMENDATION

6.1 The Scrutiny Board (Environment and Neighbourhoods) is asked to note the contents of this report and to adopt the procedure as detailed within it.

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Agenda Item 7

Originator: Sharon Winfield

Tel: 24 74792

Report of the Head of Scrutiny and Member Development

Scrutiny Board (Environment and Neighbourhoods)

Date: 24th June 2008

Subject: REVIEW OF DECISION – PARKING PRICE REVIEW (D33892)

Electoral Wards Affected: ALL	Specific Implications For:
	Equality and Diversity
	Community Cohesion
	Narrowing the Gap

1.0 INTRODUCTION AND BACKGROUND

- 1.1 This paper presents the background papers to a decision which has been Called In in accordance with the Council's Constitution.¹
- 1.2 Papers are attached as follows:
 - Copy of completed Call In request form
 - The Delegated Decision Notification.
- 1.3 Appropriate Members and/or officers have been invited to attend the meeting in order to explain the decision and respond to questions.

2.0 RECOMMENDATION

2.1 The Scrutiny Board (Environment and Neighbourhoods) is asked to review this decision and to determine what further action it wishes to take.

¹ Scrutiny Board Procedure Rules Paragraph 22

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CALL IN REQUEST

A Call In request may be made by:

- a) Any five non-executive Members of council, OR
- b) two non-executive Members of council if they are not from the same political group¹

Date of decision publication: 05 June 2008
Delegated decision ref: D33892
Executive Board Minute no:or
Area Committee Name and decision ref:
Decision description:
PARKING PRICE REVIEW

Reasons for Call In:

All requests for Call In must detail why, in the opinion of the signatories, the decision was not taken in accordance with the principles set out in Article 13 of the Council constitution (decision making) (principles of decision making) or where relevant issues do not appear to be taken into consideration. *Please tick the relevant box(es)* and give an explanation.

X	Proportionality (ie the action must be proportionate to the desired outcome)			
	Due consultation and the taking of professional advice from officers			
	Respect for human rights			
	A presumption in favour of openness			
X	Clarity of aims and desired outcomes			
X	An explanation of the options considered and details of the reasons for the decision			
	Positive promotion of equal opportunities			
	Natural justice			

Explanation:

Parking charges have risen at the Council owned Beckett Street Car Park opposite St James' Hospital to £1 an hour. This is 50p more than in 2004. The decision to increase charges will once again hit some of the most vulnerable people in our city, many who because of ill heath have no choice but to visit St James on a regular basis. This decision should be reviewed and other options examined, in line with the Council's mission statement to Narrow The Gap.

¹ In the case of decisions made by Area Committees, a Member cannot count as one of the two / five signatures if they are a member of that Area Committee.

Leeds City Council Scrutiny Support Unit

The following signatories request that the above decision be called in:

1) Signature Political group LABOUR
Print name Cllr Ted Hanley

2) Signature Political group LABOUR
Print name.... Cllr Josie Jarosz

NB: Only two signatures are required if the councillors signing this form are not from the same political group (option b above).

For option a) continue to fill in the rest of the signatures.

3) Signature Print name.... Cllr Mohammed Rafique

Print name.... Cllr James Lewis

5) Signature Lin June

Print name.... Cllr Peter Gruen

6) Signature

Print name..... Cllr Debra Coupar

This form should be submitted to the Head of Scrutiny and Member Development (Scrutiny Support Unit, 1st Floor West, Civic Hall) by **5.00pm on the fifth working**

Leeds City Council Scrutiny Support Unit

day after the decision publication date. The office is open from 9.00am to 5.00pm.

(For further information on the Call In procedure please refer to the Scrutiny Support Unit intranet site, or contact the Unit on 39 51151).

For office use only: (b	For office use only: (box A)				
Received on behal	Received on behalf of the Head of Scrutiny and Member Development by:				
		(signature)			
Date:		Time: SSU ref:			
For office use only: (b	oox B)				
Exemption status checked:		Call In authorised: Yes / No			
Date checked:		Signed:			
Signatures checked:		Date:			
Receipts given:					
Validity re article 13					
Receipt details:					

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DELEGATED DECISION NOTIFICATION

REF NO 1	
D33892	

DEPARTMENT	Environment and Neighbourhoods			
SUBJECT ²	Parking Price review			
DECISION 3	COUNCIL FUNCTION	EXECUTIVE DECISION (KEY)	EXECUTIVE DECISION (MAJOR)	EXECUTIVE DECISION (OTHER)
	NOT SUBJECT TO CALL IN	⁴ EXEMPT FROM CALL IN: YES / NO	⁴ EXEMPT FROM CALL IN: YES / NO	NOT SUBJECT TO CALL IN
	The Director of Environm attached report "Review o	nent & Neighbourhoods ap of Parking facilities including	proves the revised charge adjustments to prices".	s/changes outlined in the
AFFECTED WARDS	All			
ADVICE SOUGHT	Legal Finance Personnel Equal Opportunities Other (please specify)	Yes No ✓ □ □ □ □ □		
DECLARED OFFICER / MEMBER INTERESTS ⁵				

This reference number will be assigned by Constitution and Corporate Governance Unit and notified to you

A brief heading should be inserted

Brief details of the decision should be inserted. This note must set out the substance of the decision, options considered and the reason for deciding upon the chosen option, although care must be taken not to disclose any confidential or commercially sensitive information. Guidance on the substance of the note is available from Constitution and Corporate Governance Unit

For Key and Major decisions only. If exempt from Call In details to be provided in the report. The Call In period expires at 5.00 pm on the **5**th working day after publication. Scrutiny Support will notify decision makers of matters called in by no later than 12.00 noon on the **6th** day.

No officer having a pecuniary interest in any matter should take a decision in relation to that matter. Other interests of a non-disqualifying nature should be recorded here.

DISPENSATION BY STANDARDS COMMITTEE	DATE:			
BACKGROUND PAPERS ⁶	Review of Parking facilities including adjust	ments to prices		
CONFIDENTIAL REPORT	YES NO N RULE NO 1	0.4 ⁷ ()		
	Yes	No	Date	
DETAILS OF CONSULTATION UNDERTAKEN (OTHER REASONS/ ORGANISATIONS CONSULTED)	Executive Member Ward Councillors Chief Officers Affected			e 2008
CONTACT PERSON	M Jefford		CONTACT NO	52200
AUTHORISED SIGNATORY ⁸	Andrew Magn		DATE 4 June 20	08
		KEY	MAJOR	OTHER
	⁹ *First publication (5 day notice)	5/6/08		
	Commencement for Call In	13/6/08		
	Last date for Call In	20/6/08		
	Implementation Date	23/6/08		

* If key decision not on Forward Plan, the reason and need that the decision be taken are that:

At the time of publication of the Forward Plan this decision was classified as major. A decision of Council on 22nd May 2008 gave effect to the designation as key and recording as such on the Forward Plan was not possible.

A separate Index should be prepared if necessary. ALL DOCUMENTATION UPON WHICH THE DECISION WAS BASED MUST BE RETAINED AND BE READILY ACCESSIBLE SO IT CAN BE PRODUCED SHOULD THE DECISION BE CHALLENGED

Access to Information Procedure Rules

The signatory must be duly authorised by the Director to make the decision in accordance with the Department's scheme. It is not acceptable for the signature to be 'pp' for an authorised signatory. For Key Decisions only, the date of the authorised signature signifies that, at the time, the Officer was content that the decision should be taken. However, should representations be received following public availability of reports the signatory will consider the effect which such representations should have upon the final decision.

⁹ Constitution and Corporate Governance Unit will enter these dates



REPORT TO THE DIRECTOR OF ENVIRONMENT & NEIGHBOURHOODS

DATE: 14 April 2008

SUBJECT: REVIEW OF PARKING FACILITIES INCLUDING ADJUSTMENTS TO PRICES

Electoral Wards Affected:	Specific Implications For:
	Ethnic Minorities
ALL	Women
	Disabled People
Eligible For Call In	Not Eligible For Call In Details Contained In The Report
Major Decision	Key Decision ✓

1.0 PURPOSE OF REPORT

1.1 The purpose of the report is to inform the Director that a review of parking facilities has been undertaken, to identify trading conditions in parking and seek authority to increase some of the charges from 1st July 2008.

2.0 BACKGROUND

- 2.1 There main objectives in this review of car park tariffs is to adjust prices in order to respond to changes in demand.
- 2.2 The Council faces severe budgetary pressures in 2008/09, and increases in revenue from parking charges help avoid other changes such as a rise in Council Tax or cuts in services. However, it is recognised that this is not a captive market, and we are subject to market forces and external influences beyond the Council's control. A review of private sector charges has been undertaken, which indicates that the council will remain cheaper than other providers overall.
- 2.4 Income from parking is derived from both on-street and off-street (in car parks) parking places. Different tariffs are imposed within these parking areas to differentiate between areas of high turnover, short stay parking use and long stay commuter parking.

3.0 ON STREET

The Council's on street parking is split into 3 zones, with different prices for weekdays and Saturdays.

3.1 Weekdays

Current prices are:

- Central area 80p for every 20 minutes with a maximum stay of 2 hours
- North & West £1.30 for 1 hour, £2.60 2 hours, £3.50 5 hours, £6.80 over 5 hours
- South & East 80p for every 2 hours with a maximum stay of 10 hours
 A review of total income (weekdays & Saturdays) shows the following changes after last years price review:

Central	Down 0.25 %
North & West	Up 55%
South & East	Up 4 %

3.2 Therefore it is unlikely that price rises in the Central & South & East areas would result in greater income. There has been a significant rise in usage in North & West so a rise is appropriate here. The following tariff is proposed:

£1.50 for 1 hour, £3 for 2 hours, £4 for 5 hours, £7 over 5 hours

3.3 Saturdays

Unlike other core cities and the private sector, which charge the same rates Monday – Saturday, Leeds has a special shoppers rate on Saturdays. This is to support the city centre, and because there is less demand on Saturdays.

The differential between parking on Saturday and weekdays other days is now disproportionate – an hour in the Central zone costs £1.50 on Saturday but £2.40 on other days. Therefore there is scope for a change. The following tariff is proposed:

Zone	1 hour		5 hours		Over 5 hours	
	Current	Proposed	Current	Proposed	Current	Proposed
Central	£1.50	£1.80	£3	£5	N/A	N/A
North & West	£1	£1.50	£2.50	£3.00	£3.50	£3.90
South & East	50 p	60 p	£2	£2.50	£3	£4

4.0 OFF STREET

4.1 City centre Long stay.

There are six car parks in this tariff band:

- Meadow lane
- Hunslet Lane
- Quarry Hill
- Claypit Lane
- Maude Street
- West Street

A review of usage shows that income in these car parks was about 5% up. Prices were not raised last year so this indicates a rise in demand. Therefore an increase is appropriate on both weekdays and Saturdays:

Monday – Friday				Saturday			
	1 hr	2 hr	5 hrs	Over 5 hrs	1 hr	5 hr	Over 5 hrs
Current	£1.30	£2.60	£3.50	£6.80	£1.50	£2.70	£3.90
Proposed	£1.40	£2.80	£3.80	£7	£1.50	£3.50	£5

Permits were not increased in 2007. A rise from £350 - £380 per quarter is proposed.

4.2 Woodhouse Lane Multi Storey

The car park achieved a 12% increase this year and is very popular, often becoming full. It has been repainted and will be further upgraded with a new barrier system in 2008. Therefore a price increase is appropriate.

Monda	Saturday				
2 hr	5 hrs	Over 5 hrs	5 hrs	Over 5 hrs	
Page 1/					

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Current	£2.70	£3.70	£7	£2.70	£3.90
Proposed	£3	£4	£7.50	£3	£4.50

Permits were not increased last year. A rise from £350 to £380 per quarter is proposed in line with other city centre car parks.

4.3 Burley Road

Burley Road is increasingly popular due to extra demand from new development. It has also lost spaces due to highway work and is full on frequent occasions. Although it is located nearby, Kirkstall Road is much less popular. Currently prices are the same for short stay and slightly cheaper (£4 rather than £5.50) for all day parking in Kirkstall Road. A small increase of 10p an hour on Burley Road is proposed, which should increase revenue and encourage greater use of Kirkstall Road, where prices will be frozen.

Monday – Friday					Saturday		
	2 hrs	4 hrs	6 hrs	8 hrs	10 hrs	5 hrs	Over 5 hrs
Current	£1.10	£2.20	£3.30	£4.40	£5.50	£2.70	£3.90
Proposed	£1.20	£2.40	£3.60	£4.80	£6	£2.80	£4

Permit prices will be raised from £200 per quarter to £240 per quarter in Burley Road, and from £174 per quarter to £200 per quarter in Kirkstall Road.

4.4 Beckett Street

As the hospital also provide parking nearby their charges are an important comparator. Currently their prices are £1 an hour as compared with 90p in Beckett Street, with a minimum payment of £2. An analysis of usage of this car park shows that it is the busiest Council facility by about 40% (in terms of numbers of hours purchased per bay). Even allowing for the fact that it is in demand 7 days a week, this indicates that it is near to capacity. A 10p per hour rise would ensure that it remains cheaper than NHS facilities whilst addressing the over demand.

Charges in force 7 days a week							
1 hr 2 hrs 3 hrs 4 hrs 5 hrs Over 5 hrs							
Current	90p	£1.80	£2.70	£3.60	N/A	N/A	
Proposed	£1	£2	£3	£4	N/A	N/A	
NHS rate	N/a	£2	£6	£6	£6	£12	

4.5 The Markets

This is the Council's only remaining Car Park in the very centre of the city and it continues to be very busy. It has a single price structure for Monday – Saturday as there is no drop in demand on Saturdays. Income increased 3% last year although there was no price increase. A small increase is proposed as follows:

	1 hr	2 hrs	3 hrs	5 hrs
Current	£1.50	£3	£4.50	£7
Proposed	£1.60	£3.20	£4.80	£7.50

4.5 Otley Car Parks

No changes are planned in these car parks.

5.0 WARD MEMBERS AND/OR OTHERS CONSULTED

5.1 The Executive member o consultations have been carried out at this stage.

6.0 **RESOURCE IMPLICATIONS**

- 6.1 Funding: The cost of conversion of the tariff mechanisms on Pay and Display machines, revised signing and stationary and advertising of the Parking Place Orders necessary to implement those revised charges and the time banding arrangements, will be funded from the Department's revenue estimates.
- 6.2 Staffing: There are no staffing implications arising from the proposals.

7.0 SPECIFIC IMPLICATIONS FOR ETHNIC MINORITIES, WOMEN OR DISABLED PEOPLE'S GROUPS

7.1 There are no specific implications for ethnic minorities or women. Vehicles displaying a Disabled Person's Badge (Blue Badge) and conveying the person to whom the badge was issued are able to park free of charge all day in the areas covered by the proposal.

8.0 IMPLICATIONS FOR CORPORATE AND DEPARTMENTAL POLICIES

8.1 The proposed charges are consistent with the Parking Strategy advocated in the Environmental policy.

There are no implications for other Corporate Policies of the Council
The proposed charges are consistent with the Parking Strategy advocated in the Leeds
Transport Strategy and in line with the parking element of the Government guidelines
on an integrated transport strategy.

9.0 CONCLUSIONS

9.1 Following the review of parking charges it is considered appropriate to amend and change tariff bands on some charges whilst maintaining others at current levels.

10.0 **RECOMMENDATIONS**

10.1 The Director of Environment & Neighbourhoods is recommended to approve the revised charges/changes outlined in this report.