

## **SCRUTINY BOARD (CITY DEVELOPMENT)**

**TUESDAY, 10TH JUNE, 2008**

**PRESENT:** Councillor R Pryke in the Chair

Councillors C Beverley, B Gettings,  
R Harington, A Hussain, J Jarosz,  
M Loble, R Procter, N Taggart, A Barker,  
J Matthews and A Ogilvie

### **8 Late Items**

In accordance with his powers under Section 100B(4)(b) of the Local Government Act 1972, the Chair admitted to the agenda late papers from Councillor Illingworth which included emails detailing his concerns, the BHS Inquiry details, maps and photographs. Also admitted late to the agenda was a further report from the Chief Highways Officer and supporting maps.

These papers had been unavailable at the time of agenda despatch but were considered by the parties concerned to be relevant evidence to the Call-In request being considered at the meeting.

### **9 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor Wilkinson.

### **10 Declaration of Interests**

There were no Member declarations of interest, however Councillor Taggart, as a Member of the Board and also one of the signatories to the Call-In request, stated that he was prepared to consider all the information and evidence presented at the meeting and retain an open mind in making his decision.

### **11 Call - In of a Decision - Briefing Paper**

The Head of Scrutiny and Member Development submitted a report regarding the procedural aspects of the Call-In process.

Members were advised that the options available to the Board in respect of this particular called-in decision were:

Option 1 – **Release the decision for implementation.** Having reviewed the decision, the Scrutiny Board (City Development) could decide to release it for implementation. If this option was chosen, the decision would be released for immediate implementation and the decision could not be called-in again.

Option 2 – Recommend that the decision be reconsidered. Having reviewed the decision, the Scrutiny Board (City Development) could recommend to the Chief Highways Officer and the Director of Resources that the decision be reconsidered. If the Scrutiny Board (City Development) chose this option, a report would be submitted to the Chief Highways Officer and the Director of Resources within three working days of this meeting. The Officers would reconsider their decision and would publish the outcome of their deliberations on the delegated decision system. The decision could not be called-in again whether or not it was varied.

**RESOLVED** – That the report outlining the Call-In procedures be noted.

**12 Review of Called - In Decision - Savins Mill Gyratory - Capital Scheme No. 01508/000/000**

The Head of Scrutiny and Member Development submitted a report, together with relevant background papers, relating to an Officer Delegated Decision D33848 of the Chief Highways Officer and the Director of Resources as follows:

Proposed Highway Works – Savins Mill Gyratory, Safety Scheme Number 01508/000/000

‘The Chief Highways Officer and the Director of Resources submitted a report presenting the latest estimates for this scheme and requesting additional funding of £205,500 from £283,000 (approved in January 2007) to £489,000 for the scheme to cover current cost.

The Director of Resources

- (i) noted the contents of the joint report, and
- (ii) gave authority to incur additional expenditure of £185,000 works and £20,500 staff costs to be met from the Integrated Transport Scheme 99609 within the approved Capital Programme.’

The decision had been called-in for review by Councillors J Illingworth, B P Atha, L Yeadon, T Hanley, N Taggart and J McKenna on the following grounds:

‘Costs have doubled since the original approval and BHS submitted evidence to a recent public inquiry which showed that the scheme will not operate as intended at Wyther Lane. This would cause congestion in Armley and Bramley and attempts to solve this problem could cause difficulties elsewhere. The proposals will interact with the A65 Quality Bus Initiative and could affect the financial viability of the affordable housing scheme at the Kirkstall District Centre. The original policy decision should be reviewed and any other options examined for this complex road network.’

The Board considered the following written evidence:

- Joint report of the Chief Highways Officer and Director of Resources considered under the Officer Delegated Decision Scheme and approved on 20<sup>th</sup> May 2008.
- Additional information accepted by the Chair and circulated prior to the meeting to Board Members from Councillor J Illingworth as follows:
  - email dated 4<sup>th</sup> June – detailing concerns and providing BHS Inquiry details
  - email dated 6<sup>th</sup> June enclosing a map of Bridge Road and 2 photographs of traffic on Wyther Lane.
- Additional information accepted by the Chair and circulated by the City Development Department prior to the meeting as follows:
  - maps of existing junction and proposed scheme
  - further report of the Chief Highways Officer.

Councillors Illingworth, Atha and Hanley attended the meeting and were allocated 10 minutes to present evidence to the Board.

Councillor Andrew Carter, Executive Board Member with portfolio responsibility for Development and Regeneration, Gary Bartlett, Chief Highways Officer and Paul Russell, Principal Engineer from the Development Department also attended the meeting and were also allocated 10 minutes to present their evidence to the Board.

The Board then questioned Members and Officers at length.

Prior to making the final decision, the Board was offered legal advice by Caroline Allen, Head of Development and Regulatory, that in accordance with the Scrutiny Procedure Rules the Board could only refer back the Officer Delegated decision which was the subject of this Call-In. Any proposed referral back could not include the merits or otherwise of the scheme which was the subject of a previous key decision.

(Note: Councillor R Procter joined the meeting at 12.00 noon during the consideration of this item.)

### **13 Outcome of Call - In**

Following consideration of evidence presented to them and the options available to them as outlined in Minute No. 11, the Board resolved that Option 1 – Release the decision for implementation, was the most appropriate action.

**RESOLVED** – That the Officer Delegated Decision D33848 be immediately released for implementation.

The meeting concluded at 12.40pm.