

		AGENDA ITEM 9
		PSEG/05/17
Committee:	Place Services and Economic Growth Scrutiny Committee	
Date:	17 January 2017	
CALL IN OF DECISION - FP/687/12/16 PROPOSED 20MPH SPEED LIMIT ON THE THREE ARCH AND EASTHAM ESTATE, BRENTWOOD		
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On 8 December 2016 Councillor David Kendall called in decision FP/687/12/16 proposed 20mph speed limit on the Three Arch and Eastham Estate, Brentwood. A copy of his notification of call in is attached at Appendix A.

For ease of reference a copy of the report accompanying the Cabinet Member's decision is attached at Appendix B.

A copy of the full decision papers can be found on the Council's website www.essex.gov.uk From the Home Page, click on 'Your Council', then on 'Meetings and Agendas', then on 'Decisions' and enter the full FP reference number.

Alternatively you can use the following electronic link:

http://cmis.essexcc.gov.uk/essexcmis5/Decisions/tabid/78/ctl/ViewCMIS_DecisionDetails/mid/422/Id/6998/Default.aspx

In line with normal practice an informal meeting was arranged for 9 January 2017 for Councillor Kendall to discuss his call in with Councillor Johnson, the Cabinet Member for Highways and Transport. However, as this agenda has been published prior to that meeting it will be necessary to provide an oral update confirming if the call in has been withdrawn formally following the informal meeting, or if it is referred to this meeting for the Committee's consideration.

A note of the informal meeting will be published with this agenda once it has been written and agreed following that meeting.

If this call in is not withdrawn following the informal meeting then it will be considered by the Committee at this meeting in which case the format that will be followed is set out below for ease of reference:

Format for the Committee's consideration of this Call In

The focus of any consideration by the Committee at today's meeting should be the Cabinet Member's decision to reject the proposals to introduce a 20mph speed limit on the Three Arch and Eastham Estate, Brentwood, and in particular the specific reasons given for the call in itself as set out at Appendix A to this report. All parties to the call in will be reminded of the Committee's expectation that only the issues raised in the 'Notification of Call In' will be considered and that if anyone wishes to raise new matters then they may only do so with the permission of the Chairman.

In line with the Call In Procedure, the format for consideration of this call in will be held according to the following stages:

1. Councillor Kendall as the councillor responsible for the call in will be given the opportunity to make the case for calling in the decision, including an allocation of time to any other contributors whom he may wish to call as set out in stage 1 and 2.

Please note that 30 minutes in total is allocated for stages 1 and 2, and that everyone addressing the Committee should ensure that their speeches are relevant to an issue identified in the Notification of Call In, unless the Chairman agrees otherwise.

2. Other interested parties will then provide evidence to the Committee. A maximum of three minutes is allowed for each individual to address the Committee, and up to three witnesses will be permitted all subject to the discretion of the Chairman.
3. As the decision maker Councillor Johnson will then be given the opportunity to answer the case and seek to justify the decision taken, and he may call other contributors to support his case.

Please note that 30 minutes in total is allocated for this stage. Everyone speaking must ensure that their speech is relevant to an issue in the Notification of Call In, unless the Chairman agrees otherwise or they are responding to an issue raised at the meeting by the person calling in the decision.

4. There will then be an opportunity for other members of the Committee to ask questions of anyone who has provided information in support of or in opposition to the call in and to discuss any issues in open debate.
5. The Scrutiny Committee shall then consider whether:
 - to accept the decision be implemented without further delay;
 - to refer the decision back to the person who made it (i.e the Cabinet Member, Councillor Johnson) with such recommendations as the Committee think appropriate; or
 - to refer the matter to the Full Council (although Full Council cannot itself overturn the decision and can only itself allow the decision to be implemented or refer to the Cabinet Member who made it.

6. A member of the Committee must move a motion to do one of the above actions, and another member must second that motion. The Committee will then vote upon that motion.

Action required by the Committee:

The Committee will be advised in advance of this meeting of the outcome of the informal meeting on 9 January and confirm what action may be necessary at this meeting.

If the call in is referred to the Committee for consideration then the procedure set out above must be followed. Ultimately a member of the Committee must move a motion to agree one of the following actions:

- **to accept the decision be implemented without further delay;**
- **to refer the decision back to the person who made it (i.e the Cabinet Member, Councillor Johnson) with such recommendations as the Committee think appropriate; or**
- **to refer the matter to the Full Council (although Full Council cannot itself overturn the decision and can only itself allow the decision to be implemented or refer to the Cabinet Member who made it.**

Another member of the Committee must second that motion. The Committee will then vote upon that motion.

Appendix A

Notification of Call-in

Please submit this form to governanceteam@essex.gov.uk.

Decision title and reference number Proposed 20mph Speed Limit on the Three Arch and Eastham Estate, Brentwood Decision reference FP/687/12/16	
Cabinet Member responsible Cllr Johnson. Cabinet Member for Highways and Transport	Date decision published 8 December 2016
Last day of call in period 13 December 2016	Last day of 10-day period to resolve the call-in
Reasons for Making the Call in I would like to call in this decision for the following reasons: 1) The report says that I offered no response to the informal consultation however I didn't receive any details of the consultation. Cllrs Morrissey and Wiles may also have not have responded for the same reasons but I know they both support the scheme. 2) I have sponsored this scheme all the way through the LHP process and have spoken up in support of it whenever it has appeared on a Brentwood LHP agenda so I am very keen for it to go ahead. 3) There are 9 roads in the scheme where speed surveys have been undertaken and only 3 are above 24 mph. One of the roads Beech Avenue is just over at 24.1mph. 4) There is widespread support for the scheme particularly from elderly residents and from families with children.	
Signed: Cllr David Kendall	Dated: 8 December 2016

Appendix B

Cabinet Member Decision