



Leicester  
City Council

**WARDS AFFECTED**  
**Aylestone, Castle and Saffron**

**ECONOMIC DEVELOPMENT, TRANSPORT AND TOURISM  
SCRUTINY COMMISSION**

**25 OCTOBER 2018**

**COUNCIL**

**15 NOVEMBER 2018**

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**CALL-IN OF EXECUTIVE DECISION – PUTNEY ROAD PROJECT**

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**REPORT OF THE MONITORING OFFICER**

**1. INTRODUCTION**

- 1.1 The Executive decision taken by the City Mayor on 5 October 2018 relating to the Putney Road Project has been the subject of a five-member call-in under the procedures at Rule 12 of Part 4D, (City Mayor and Executive Procedure Rules), of the Council's Constitution.
- 1.2 The procedure rules state that a scrutiny committee or any five councillors may request formally that the decision be called-in for a further review by giving notice in writing to the Monitoring Officer within five working days of the decision.
- 1.3 The five Councillors who signed the call in were: Councillor Kitterick (proposer), Councillor Chaplin (seconder), Councillor Shelton, Councillor, Councillor Sangster and Councillor Willmott.

**2. RECOMMENDATIONS**

- 2.1 The Scrutiny Commission is recommended to either:
  - a) Note the report without further comment or recommendation. *(If the report is noted the process continues and the call in will be considered at a meeting of Full Council); or*
  - b) Comment on the specific issues raised by the call-in. *(If comments are made the process continues and the comments and call in will be considered at a meeting of Full Council); or*
  - c) Resolve that the call-in be withdrawn *(If the committee wishes for there to be no further action on the call-in, then it must actively withdraw it. If*

*withdrawal is agreed the call-in process stops, the call-in will not be considered at a meeting of Full Council and the original decision takes immediate effect without amendment).*

2.2 Council is recommended to either:

- a) Support the City Mayor's decision, thus confirming the decision with immediate effect; or
- b) Recommend a different decision to the City Mayor. (The original decision will still stand, unless the City Mayor takes a further decision to amend the original.)

### **3. REPORT**

#### **3.1 Process**

3.1.1 The call-in submitted to the Monitoring Officer was in the following terms:

*"In light of accusations that material changes have been made to consultation documents relating to the executive decision on Putney Road, we ask that the proposal is called in to the 25 Oct 2018 Economic Development Transport & Tourism scrutiny meeting so these matters can be examined and a recommendation be made. This is of course with the permission of the Chair of the Economic Development, Transport and Tourism Scrutiny commission and if the 25th October 2018 it is not possible that another way of dealing with this call in is found."*

3.1.2 The Monitoring Officer has confirmed that the call-in satisfies the requirements of the procedure rules and it has therefore proceeded as per the process set out at Rule 12 of Part 4D, City Mayor and Executive Procedure Rules of the Council's Constitution.

3.1.3 Where a call-in has been made, officers are to take no further legally binding action and the matter shall be referred to a meeting of the full Council. Prior to this it shall be referred to the relevant Scrutiny Committee if one is programmed or a special scrutiny committee if one is convened.

3.1.4 The call-in may however be withdrawn if:

- The decision maker and the relevant scrutiny committee (or via the Monitoring Officer, the scrutiny committee chair and vice chair unanimously) come to an agreement; (Note: this option is not available for a five Member call-in).
- The relevant scrutiny committee makes a resolution to withdraw; or

- The sponsor and seconder of the call-in inform the Monitoring Officer that they wish the call-in to be withdrawn.

3.1.5 Following consideration of a call-in by full Council, the original decision will be deemed to be revived in its entirety. Any agreement by the decision maker to change the original decision will require a further formal Executive Decision.

### 3.2 Background

3.2.1 The relevant decision notice and report are attached at Appendix A. Please note that although the City Mayor signed the decision notice on 5 October it could not be published on the Council's website until 8 October due to technical issues with the website. The call-in period was, therefore, extended from 12 October (as shown on the decision notice) to 15 October to allow the required 5 days period for a Call-in to be made from the date of the notification of the decision.

3.2.2 The Economic Development, Transport and Tourism Scrutiny Commission received a presentation on the scheme at its meeting on 12 July 2018 and the minute extract from the meeting is attached at Appendix B.

## 4. **FINANCIAL, LEGAL AND OTHER IMPLICATIONS**

### 4.1. **Financial Implications**

The Financial Implications are covered in the Decision Report.

### 4.2 **Legal Implications**

The Legal Implications are covered in the Decision Report.

### 4.3 **Climate Change and Carbon Reduction**

The Climate Change and Carbon Reduction implications are covered in the Decision Report.

### 4.4 **Equalities Implications**

The Equalities implications are covered in the Decision Report.

## 5. **BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972**

5.1 None

## 6. **REPORT AUTHOR**

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