

# Public Document Pack

## Call In Committee

Wednesday, 29th August, 2018

6.00 pm

Meeting Room A - Old Town Hall, Blackburn

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### AGENDA

1. **Welcome and Apologies**
2. **Declarations of Interest**  
**DECLARATIONS OF INTEREST FORM** **2**
3. **Procedure for Hearing a Call-in**  
**Procedure for Call-in** **3 - 5**
4. **Reasons for the Call-in**  
**Call-in form** **6**
5. **Review of Parking Tariffs- on street and off street parking**  
**Increase in Parking Tariffs - EMD** **7 - 10**

### **PART 2 - THE PRESS AND PUBLIC MAY BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS:**

6. **Review of Parking Tariffs - on street and off street parking**  
**Increase in Parking Tariffs - EMD PT2** **11 - 14**
7. **Decisions of the Meeting**  
The Committee will move to a Recorded Vote and will record reasons for reaching such a Decision.

Date Published: 21<sup>st</sup> August 2018  
Harry Catherall, Chief Executive

## DECLARATIONS OF INTEREST IN ITEMS ON THIS AGENDA

**Members attending a Council, Committee, Board or other meeting with a personal interest in a matter on the Agenda must disclose the existence and nature of the interest and, if it is a Disclosable Pecuniary Interest or an Other Interest under paragraph 16.1 of the Code of Conduct, should leave the meeting during discussion and voting on the item.**

**Members declaring an interest(s) should complete this form and hand it to the Democratic Services Officer at the commencement of the meeting and declare such an interest at the appropriate point on the agenda.**

MEETING: **Call-In Committee**

DATE: **29<sup>th</sup> August 2018**

AGENDA ITEM NO.:

DESCRIPTION (BRIEF):

NATURE OF INTEREST:

DISCLOSABLE PECUNIARY/OTHER (delete as appropriate)

SIGNED :

PRINT NAME:

(Paragraphs 8 to 17 of the Code of Conduct for Members of the Council refer)

## GUIDANCE NOTE FOR CALL INS

The following procedure shall be used by overview and scrutiny committees when meeting to hear a call in.

1. *Chair of the Committee hearing the Call In welcomes those present.*
2. *Chair asks if everyone has a copy of the reasons why the decision had been called in along with a copy of the Call In procedure.*
3. *Chair asks for apologies/substitutes.*
4. *Chair asks whether there are any Declarations of Interest.*
5. *Chair asks the Legal Adviser to explain the process to be followed.*
6. *Chair asks the representative of those Members who requested the Call In and the Executive Member to take their places at the table.*
7. *Chair asks representative of those Members who requested the Call In to speak to explain the reasons for the call in. He/she may do so alone or may do so with another person.*
8. *The Executive Member may seek clarification of any issues from the Member representing those responsible for the Call In.*
9. *Members of the Committee may ask questions of that Member.*
10. *Chair asks the Executive Member to explain the reasons for the decision made by the Board. He/she may do so alone or may do so with the relevant Chief Officer.*
11. *The Member representing those who requested the Call In may ask questions.*
12. *Members of the Committee may ask questions of the Executive Member/Chief Officer.*
13. *The Member who requested the Call In and then the Executive Member may sum up.*
14. *The Chair asks the representative of those Members who requested the Call In and the Executive Member to leave the table and sit in the public area. They may remain in the room if they wish.*
15. *Chair requests any final contributions from Members before deciding how to proceed.*
16. *Chair indicates that Members of the Committee will now consider what they have heard and decide how to proceed. He asks the legal adviser to go through the options which are:*

### **To accept the decision**

*If Members do this then they need not do any more. The decision will take effect straight away. It could be that some minor issues arise during the debate which the Executive Member will agree to take on board. These might be dealt with as part of the Minute. As an example when a land sale was called in the Chief Executive gave assurances about how it would proceed and these were simply recorded in the minutes.*

### **To refer the decision back to the decision making person or body**

*If Members do this they need to agree what their concerns are. These will be recorded in writing and presented to the decision making person or body who will then make a final decision. The decision will not take effect until it is reconsidered by the decision making person or body. (This decision may not be Called In)*

### **To refer the decision to Council**

*Statutory Guidance from the DTLR (formerly ODPM, now DCLG) states overview and scrutiny committees should only use the power to refer matters to the full council if they consider that the decision is contrary to the budget and policy framework or contrary to or not wholly in accordance with the budget. The Committee ought to identify those parts of the policy framework which are not being followed.*

*This situation has so far not arisen. Therefore the authority would be learning as it goes along. Guidance suggests that the correct approach in these circumstances would be for the Committee to refer the issue to the Monitoring Officer and Strategic Director Resources who would have to report on whether the issue is within the framework. A report would then go to the next meeting of the relevant Scrutiny Committee as well as to the Executive Board. If the view was that the decision fell outside the policy framework then the Scrutiny Committee could refer the issue to Council Forum. That may require a special Council meeting.*

17. Move to Named Vote and recording of reasons for reaching such a decision.

18. Inform Executive Member of decision reached as soon as possible.

- (e) Having considered the decision, the Overview and Scrutiny Committee may
- (i) refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or;
  - (ii) refer the matter to full Council. Such a referral should, in accordance with the Budget and Policy Framework Rules, only be made where the Committee believes that the decision is outside the policy framework or contrary to or not wholly in accordance with the budget. The procedures set out in those rules must be followed prior to any such referral.
- (f) If a decision is referred back to the decision making person or body it shall be reconsidered in the light of the written concerns of the Overview and Scrutiny Committee before a final decision is made.
- (g) If following a call in, the Overview and Scrutiny Committee does not refer the matter back to the decision making person or body and does not refer the matter to Council, the decision shall take effect on the date of the Overview and Scrutiny

Committee meeting. If the Overview and Scrutiny Committee does not meet the decision shall take effect from the date when the Committee should have met.

- (h) If the matter is referred to full Council and the Council does not object to a decision which has been made, then the decision will become effective on the date of the Council meeting.
- (i) If the Council does object the Council may take a decision, which is outside the policy and budgetary framework. Otherwise the Council will refer any decision to which it objects back to the decision-making person or body, together with the Council's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Executive Board as a whole or a committee of it, a meeting will be convened to reconsider within ten working days of the Council request. Where the decision was made by an individual, the individual will reconsider within ten working days of the Council request.



**TO: THE CHIEF EXECUTIVE**

For the immediate attention of  
 Democraticservices@blackburn.gov.uk

From COUNCILLOR PAUL MARROW

Date: 8<sup>th</sup> August 2018

**EXECUTIVE BOARD/MEMBER DECISION TO BE CALLED IN:** Ref EMD V3/18

~~EXECUTIVE BOARD/EMD~~ <sup>Exec Members</sup>  
 Jim Smith, Phil Riley &

**DATE OF PUBLICATION:** 3-8-18

**Subject:** question and challenge  
 To the economic effect of Sunday trading in  
 Blackburn town centre. If the Execmembers approve  
 the introduction of parking charges on Sunday as  
 per option D within the report.

**EXECUTIVE BOARD/MEMBER DECISION CALLED IN BY:**  
 (6 Members)

Councillor	Signature
1. Julie Slater	SIGNATURES REDACTED
2. NEIL SLATER	
3. DENISE GEE	
4. JOHN PEARSON	
5. LILIAN SARTON	
6. JACQUELINE SLATER	
<b>Date Received by Democratic Services:</b> 8/8/18	

**REASONS FOR THE CALL IN** See Subject box above

Please state reasons for the Call In, which will be addressed by the appropriate Executive Member.

As agreed at Council Forum on 26<sup>th</sup> June 2009, the lead signatory must provide detailed reasons for the Call in.

Council Forum resolved that it was no longer sufficient to provide limited reasons such as Lack of consultation or inaccurate information.

## EXECUTIVE MEMBER DECISION



<b>REPORT OF:</b>	Executive Member for Environment Executive Member for Regeneration
<b>LEAD OFFICERS:</b>	Director of Environment and Leisure
<b>DATE:</b>	3 <sup>rd</sup> August 2018

<b>PORTFOLIO/S AFFECTED:</b>	Environment	Regeneration
<b>WARD/S AFFECTED:</b>	All	

**SUBJECT: Review of parking tariffs; on- street and off-street parking**

### 1. EXECUTIVE SUMMARY

Parking tariffs in Blackburn Town Centre have not been increased since 1<sup>st</sup> April 2011. Given the length of time since charges were increased and the changes and improvements to the town centre offer, it is proposed that the parking tariffs are reviewed.

This report sets out options for increasing the parking charges on street and off street, Monday to Saturday and options for introducing parking charges on Sundays.

### 2. RECOMMENDATIONS

That the Executive Member:

- Approves a 20p increase on all parking tariffs in the town centre, Monday to Saturday
- Approves the introduction of parking charges on Sundays as per option D within the report

### 3. BACKGROUND

Parking tariffs in Blackburn Town Centre have not been increased since 1<sup>st</sup> April 2011. Given the length of time since charges were increased and the changes and improvements to the town centre offer, it is proposed that the parking tariffs are reviewed.

It should be noted, the main shopper's car park in the town centre is operated by the Mall and they charge the following rates:-

The Mall car park – open 24 hours	
	Tariffs
Up to 2 hours	£1.50
2 – 4 hours	£2.50
Up to 12 hours	£5.00
Sunday and Bank Holidays	Normal daily parking charges apply

## Options to change the current Parking Tariff

Below are 2 options for changing the Parking Tariffs in Blackburn Town centre:

	Existing Tariff	Option A (10p on every tariff)	Option B (20p on every tariff)
<b>On Street – Short Stay (Mon-Sat 8am-6pm)</b>			
30 mins	0.60	0.70	0.80
1 hour	1.20	1.30	1.40
1hr 30mins	1.80	1.90	2.00
2 hours	2.20	2.30	2.40
<b>On Street – Long Stay (Mon-Sat 8am-6pm)</b>			
2 hours	1.30	1.40	1.50
4 hours	2.20	2.30	2.40
6 hours	3.10	3.20	3.30
Over 6 hrs	3.80	3.90	4.00
<b>Off Street – Short Stay (Mon-Sat 8am-6pm)</b>			
1 hour	1.00	1.10	1.20
2 hour	1.70	1.80	1.90
3 hour	2.40	2.50	2.60
5 hour	3.80	3.90	4.00
Over 5 hrs	8.00	8.10	8.20
<b>Off Street – Long Stay (Mon-Sat 8am-6pm)</b>			
2 hours	1.30	1.40	1.50
4 hours	2.20	2.30	2.40
6 hours	3.10	3.20	3.30
Over 6 hrs	3.80	3.90	4.00
<b>Fielden St Multi-Storey (Mon-Sat 7am-8pm)</b>			
1 hour	1.00	1.10	1.20
2 hours	1.50	1.60	1.70
4 hours	2.50	2.60	2.70
8 hours	3.70	3.80	3.90
Over 8 hrs	6.00	6.10	6.20

## Parking statistics

- In 2017/18, a total of 432,511 transactions were completed via the new Pay & Display machines, the average transaction was £1.34.
- At Feilden Street MSCP, 65,618 transactions were completed at the Pay on Foot machines; the average transaction was £3.12.
- In 2017/18, a total 498,129 parking payment transactions were completed across the borough.

## Sunday Charging

The Mall has constantly charged for parking on Sundays and charges the same tariff on Sunday as the rest of the week. The Council has never charged for parking on a Sunday, however in the table below, there are three options listed for consideration:

<b>Sunday Charging (8am – 6pm)</b>				
	Option A	Option B	Option C	Option D
On Street – Short Stay	No Change – Continue to be Free	Use same tariff as the rest of the week	All day Parking charge £1.00	Up to 3hrs – charge £1.00
On Street – Long Stay				Over 3 hours – charge £2.00
Fielden St	Closed	Closed	Closed	Closed



#### 4. KEY ISSUES & RISKS

Parking tariffs in Blackburn Town Centre have not been increased since 1<sup>st</sup> April 2011. Given the length of time since charges were increased and the changes and improvements to the town centre offer, it is proposed that the parking tariffs are reviewed.

The report sets out options to increase the tariffs charged on street and off street, Monday to Saturday. The report also proposes the introduction of parking charges on Sundays.

Increasing parking charges will generate additional income for the Council providing the increases are not excessive to the point where they deter people from parking on street or using the council owned car parks.

#### 5. POLICY IMPLICATIONS

The proposal to make a variation order to an existing Traffic Regulation Order requires delegated approval from Executive Member for Regeneration and Growth and Chief Officer.

A notice is required to be publicised in local press and on site to comply with the Road Traffic Regulations Act 1984.

#### 6. FINANCIAL IMPLICATIONS

The proposed increase in parking charges will generate income for the council in line with the budget expectations for parking services.

#### 7. LEGAL IMPLICATIONS

A variation order to the existing Traffic Regulation Order needs to be advertised with 21 days' notice given – in the paper and on site in accordance with regulation 25 of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. The variation order is not subject to objections. The Variation Order will be made in accordance with section 46A relating to variations of charges at designated parking places and section 35C relating to variation of charges at off-street parking places.

#### 8. RESOURCE IMPLICATIONS

New signage would be required in the car parks to reflect the new tariffs – a cost for this will be obtained and included in the Executive Member decision paper. The signage will also be amended to comply with the new GDPR regulations.

#### 9. EQUALITY AND HEALTH IMPLICATIONS

**Please select one of the options below. Where appropriate please include the hyperlink to the EIA.**

Option 1  Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2  In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

#### 10. CONSULTATIONS

**11. STATEMENT OF COMPLIANCE**

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

**12. DECLARATION OF INTEREST**

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

<b>VERSION:</b>	<b>1</b>
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<b>CONTACT OFFICER:</b>	<b>MARTIN EDEN</b>
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<b>DATE:</b>	23 July 2018
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<b>BACKGROUND PAPER:</b>	
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted