

<b>Committee:</b>  <b>OVERVIEW AND SCRUTINY</b>	<b>Date:</b>  <b>5 May 2009</b>	<b>Classification:</b>  <b>Unrestricted</b>	<b>Report No.</b>	<b>Agenda Item No.</b>
<b>Report of:</b> <b>Assistant Chief Executive</b>  <b>Originating Officer(s):</b> John Williams Service Head, Democratic Services			<b>Title:</b> <b>Cabinet Decision Called-in:</b> Communities, Localities and Cultural Services Directorate Capital Programme 2009/2010  <b>Wards: All</b>	

## 1. SUMMARY

- 1.1 The attached report of the Corporate Director, Communities, Localities and Culture was considered by the Cabinet on 8<sup>th</sup> April 2009 and has been "called in", in accordance with the provisions of Part 4 of the Council's Constitution, by Councillors Hussain, Archer, Eckhardt, Golds and Snowdon.

## 2. RECOMMENDATION

- 2.1 That the Committee consider the contents of the attached report, review the Cabinet's provisional decisions on the report and decide whether to accept them or alternatively to refer the matter back to the Cabinet with proposals, together with reasons.

## 3. THE CABINET'S PROVISIONAL DECISION

- 3.1 After considering the attached report the Cabinet provisionally agreed:-
1. That the schemes listed in appendices A & B to the report (CAB 140/089) be included within the Communities Localities & Cultural Services Directorate's 2009/2010 Capital Programme;
  2. That, subject to the identification of available funding, as set out in paragraph 3.2 of the report, (CAB 140/089), the Capital Estimates (sum specified in estimated scheme cost column) be adopted for the schemes as outlined in Appendices A & B to the report, (CAB 140/089);
  3. That that the Council's Measured Term Contracts be used for the implementation of the Transportation and Highways Works where appropriate; and

4. That the Corporate Director Communities, Localities and Culture, give consideration to future inclusion of the following in the Communities, Localities and Culture Capital Programme:

- Improvements to the highway in the vicinity of the entrance to John Scurr Primary School, Bethnal Green, to increased pedestrian safety.
- Installation of a pedestrian crossing in proximity to Bangabhandu Primary School, Bethnal Green.
- Improvements to the highway in the vicinity of New Road, Whitechapel and Kobi Nazrul Primary School, to increased pedestrian safety.

#### **4. REASONS FOR THE 'CALL IN'**

4.1 The Members who have called in this decision have given the following reasons for doing so:-

- The document has been established from the Cabinet meeting of 2005.
- The list is out of date and needs to be more robust to-date.
- There are a number of areas in the borough that are in desperate need of upgrade in terms of parks, roads and streets.
- We believe all the Councillors should have been given the opportunity to highlight the areas that they think need to be improved through this programme and then prioritise accordingly.
- The following needs to be included on this list of Appendix 'A' and 'B':
  - Wellington Way – more reasonable lighting
  - Bow Road – Traffic calming measures to Central Foundation
  - Upgrade of pedestrian crossing on Burdett Road and St Paul's Way.
  - Archibald Park – more adequate lighting as there is a lot of anti-social behaviour after dark on and around the park.

#### **5. ALTERNATIVE COURSE OF ACTION PROPOSED**

5.1 The call-in Members therefore suggest the following alternative course of action:-

To include the following items on Appendix 'A' and 'B':

- Wellington Way – more reasonable lighting
- Bow Road – Traffic calming measures to Central Foundation
- Upgrade of pedestrian crossing on Burdett Road and St Paul's Way.
- Archibald Park – more adequate lighting as there is a lot of anti-social behaviour after dark on and around the park.

- 5.2 Regarding whether this matter is within the Council's Budget or Policy Framework, the Councillors have indicated that "it is within the Council's policy to include all upgrades that need to be done as and when needed within the limited resources.
- 5.3 In our responses it has always been mentioned that if the Council had money from TfL then they could have upgraded these places, especially the traffic calming on Bow Road; we now have the contribution from TfL and there isn't any reason why the Council cannot improve the mentioned areas.
- 5.5 In the response to the Cabinet and to the O&S questions the Director said that these items could be included in these document followed by an assessment carried out. If the areas mentioned need the attention the Council will find the money to do it."

## **6. CONSIDERATION OF THE "CALL IN"**

- 6.1 The following procedure is to be followed for consideration of the "Call In":
- (a) Presentation of the "Call In" by one of the "Call In" Members followed by questions.
  - (b) Response from the Lead Member/officers followed by questions.
  - (c) General debate followed by decision.

**N.B. – In accordance with the Overview and Scrutiny Committee Protocols and Guidance adopted by the Committee at its meeting on 6 June, 2007, any Member(s) who presents the "Call In" is not eligible to participate in the general debate.**

- 6.2 It is open to the Committee to either resolve to take no action which would have the effect of endorsing the original Cabinet decisions, or the Committee could refer the matter back to the Cabinet for further consideration setting out the nature of its concerns and possibly recommending an alternative course of action.

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### **Local Government Act, 1972 Section 100D (As amended)**

#### List of "Background Papers" used in the preparation of this report

Brief description of "background paper"	Name and telephone number of holder and address where open to inspection
Cabinet report – 8 <sup>th</sup> April 2009	Amanda Thompson 020 7364 4651