

<b>Committee:</b>  <b>OVERVIEW AND SCRUTINY</b>	<b>Date:</b>  <b>1 September 2009</b>	<b>Classification:</b>  <b>Unrestricted</b>	<b>Report No.</b>	<b>Agenda Item No.</b>  <b>6.3</b>
<b>Report of:</b> <b>Assistant Chief Executive</b>  <b>Originating Officer(s):</b> <b>Amanda Thompson</b> <b>Team Leader, Democratic Services</b>			<b>Title:</b> <b>Cabinet Decision Called-in:</b> Proposed Acquisition of Leasehold Interest at 585-593 Commercial Road, E1 and Temporary Relocation of Leven Road Car Pound  <b>Wards:</b> East India and Lansbury St Dunstans and Stepney Green	

## 1. SUMMARY

- 1.1 The attached joint report of the Corporate Director, Development and Renewal and Corporate Director Communities Localities and Culture was considered by the Cabinet on 29 July 2009 and has been "Called In" by Councillors Tim Archer, Rupert Eckhardt, Peter Golds, Shirley Houghton and David Snowden for further consideration. This is in accordance with the provisions of Part Four of the Council's Constitution.

## 2. RECOMMENDATION

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

---

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

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

Brief description of "background paper"

**Cabinet report - 29 July 2009**

Name and telephone number of holder  
and address where open to inspection

**Amanda Thompson**  
**02073644651**

### **3. THE CABINET'S PROVISIONAL DECISION**

**3.1** The Cabinet after considering the attached report provisionally agreed:-

1. That the proposal to acquire the leasehold interest in the site at 585 – 593 Commercial Road, E1, as identified on the plan attached at Appendix 1 to the report (CAB 022/090), for a consideration set out in the exempt part of the report (CAB 033/090) in full and final settlement, be approved;
2. That the temporary relocation of the Authority's current car pound from Leven Road, E14, as identified on the plan attached at Appendix 2 to the report (CAB 022/090), to 585-593 Commercial Road, E1 at a cost specified in the exempt part of the report (CAB 033/090), be agreed;
3. That the Corporate Director Communities Localities and Culture be authorised to finalise and agree any necessary terms to ensure the Authority is able to successfully vacate the current car pound at Leven Road and relocate the Service to Commercial Road;
4. That the capital estimate for acquiring the leasehold interest in the site to which it is proposed that the car pound be temporarily relocated, for the amount referred to in the exempt part of the report (CAB 033/090), be adopted; and
5. That Prudential Borrowing be used to fund the acquisition, referred to in Resolution 4. above and the associated costs.

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

**4.1** The Call-in requisition signed by the five Councillors listed above gives the following reasons for the Call-in:

'The Council is planning to borrow substantial sums in order to purchase the lease of this 1.5 acre site. The proposal is that this site should then be used at the Borough's car pound where vehicles that have been towed away should be stored'.

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

**5.1** The Councillors submitting the Call-in requisition have proposed the following alternative course of action:

'The Borough should be towing away fewer cars and should consider issuing tickets instead to enforce parking restrictions.

The site at 585-593 Commercial Road should be purchased by the Council and new homes for residents on the housing waiting list should be built there instead.

An alternative site should be found for the Borough's car pound'.

## **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 5 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.