

Name of meeting: Cabinet

Date: 16 November 2021

Title of report: Outcome of Call in Review of Cabinet Decision in relation to A62 Cooper Bridge Improvement Corridor

Purpose of report: To inform the Cabinet on the outcome of the Scrutiny call in review meeting into the Cabinet decision of 12 October 2021 on A62 Cooper Bridge Improvement Corridor.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes/ no or Not Applicable Yes - the original Cabinet decision that has been reviewed was a key decision
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u>	Key Decision – Yes Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	Yes/No or Not Applicable No
Date signed off by <u>Strategic Director</u> & name	Rachel Spencer-Henshall – 5 November 2021
Is it also signed off by the Service Director for Finance?	N/A
Is it also signed off by the Service Director for Legal Governance and Commissioning? –	Julie Muscroft - 8 November 2021
Cabinet member portfolio	Councillor Peter McBride - Regeneration

Electoral wards affected: N/A

Ward councillors consulted: N/A

Public or private: Public

Has GDPR been considered? Yes

1. Key Points

- 1.1 On 2 November 2021, the Economy and Neighbourhoods Scrutiny Panel considered a call in request on the decision made by Cabinet on 12 October 2021 relating to the A62 Cooper Bridge Improvement Corridor.
- 1.2 The Committee considered evidence from the Councillors who were signatories to the Call-In, the Cabinet Member for Regeneration, Officers from Growth and Regeneration Department, and members of the public and Ward Councillors through written and verbal submissions.

Set out below are the three decision making principles the Panel looked at and the specific areas of focus:

1. Relevant considerations	Issues relating to a number of unanswered technical questions
2. Clarity	Clarity in respect of the objectives and the measurable outcomes the scheme hopes to achieve
3. Options	No details of the alternatives considered were presented as part of the Cabinet report

- 1.3 In accordance with the Overview and Scrutiny Procedure Rules, the Panel had three options available to it:
- (1) To take no further action and free the decision for implementation.
 - (2) To refer it back to Cabinet with recommendations for amendment.
 - (3) To refer it back to the next Council, if the Panel considered that the decision was not made in accordance with the budget or policy framework.

2. Findings

- 2.1 Members of the Panel assessed the call in notice against the areas of focus set out above and considered all the information presented at the meeting. The Panel concluded that the report and information provided at the Cabinet meeting held on 12 October 2021 should have been clearer in relation to what exactly the decision committed the Council to with regard to the Outline Business Case and what issues would return for further decision as part of the process for agreeing the Full Business Case.
- 2.2 The Panel further identified that clarity was needed in the report recommendations, particularly around the delegations given to the Strategic Director Growth and Regeneration.

2.3 With regard to the issue of Options, the Panel acknowledged that work had been undertaken to consider up to 30 options and that a process had been followed to discount a number of schemes. However, the Panel felt that the Cabinet report should have provided a summary in relation to this process.

2.4 Having considered all the information provided, the Panel agreed the following recommendations and Learning Points for consideration by Cabinet :-

(1) To refer the matter back to the Cabinet with recommendations for amendment as follows:

Relevant consideration

The scheme needs to demonstrate clearly how it fits with the Master Plan for the area and the wider issues for Bradley.

Clarity

Delegations and language within the report need to be clearer and reference that they relate specifically to the Outline Business Case as stated at the Scrutiny Panel meeting.

Officers recommendations need to be clearer in the cabinet paper to clearly set out that Cabinet were deciding on the Outline Business Case and that the Full Business Case would be coming back to Cabinet for approval.

Options

More clarity and awareness is required in explaining the stages and process of developing both the Outline Business Case and Full Business Case

A high-level summary or short narrative of the 30 options should be included within the Cabinet report for consideration.

The Panel recognises Councillor McBride's commitment to future re-appraisal of contentious areas of the scheme

(2) The Panel further recommends that the following Learning Points arising from the Call in meeting be considered by Cabinet.

- a. Clearer language needs to be used in reports to help people to understand the process of the different stages of this type of project
- b. Answers to the technical questions were provided at the Scrutiny Panel meeting, but these should have been answered at Cabinet prior to the decision being taken.
- c. The Panel recognises the scheme has been an evolving process over many years and many areas have been addressed in informal processes and

meetings but some areas, particularly in reference to the options available were not made clear in the formal report before Cabinet.

d. That future reports should be drafted using clear and simple language.

- (3) In addition to the recommendations and Learning points relating to the Call in, the Panel requests a commitment that further regular reports be submitted to Pre-Decision scrutiny and the Economy and Neighbourhoods Panel as the scheme develops and progresses, to include issues around modal shift, air quality measures and community engagement.

3. Information required to take a decision

Cabinet will consider the recommendations and Learning Points from the Call In review meeting as set out at 2.4 of the report.

4. Implications for the Council

There are no specific implications for the Council within this report as the Panel does not have decision making powers. However, having considered the recommendations of the Scrutiny Panel Cabinet may amend its decision which could result in implications for the Council.

4.1 Working with People

N/A

4.2 Working with Partners

N/A

4.3 Place Based Working

N/A

4.4 Climate Change and Air Quality

N/A

4.5 Improving outcomes for children

N/A

4.6 Other (eg Legal/Financial or Human Resources) Consultees and their opinions

N/A

5 Next steps and timelines

(1) If there are any amendments made to the original Cabinet decision as a result of the call in review meeting on 2 November 2021, officers will implement any agreed actions.

(2) As required constitutionally the call in and its outcomes will be reported to Council in December 2021

6 Officer recommendations and reasons

That Cabinet consider the Economy and Neighbourhoods Scrutiny Panel's recommendations and Learning Points as set out at 2.4 of the report and determine one of the following courses of action:

- a. To accept the recommendations (in full or in part) of the Scrutiny Panel and amend the original decision accordingly;
- b. To decide that further work needs to be done and defer the item until this is completed. If this action is taken then the Economy and Neighbourhoods Scrutiny Panel should be kept informed on the work as it progresses and be formally notified when it is to be reconsidered;
- c. Not to accept the view of the Scrutiny Panel and confirm the original decision;

7 Cabinet Portfolio Holder's recommendations

As this is a Scrutiny referral, this is not applicable.

8 Contact officer

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9 Background Papers and History of Decisions

Relevant papers: Agenda papers of Economy and Neighbourhoods Scrutiny Panel 2 November 2021 and the Cabinet meeting held on 12 October 2021

10 Service Director responsible

Julie Muscroft, Service Director, Legal, Governance & Commissioning