

North Yorkshire Council
Transport, Economy, Environment and Enterprise
Overview and Scrutiny Committee

Wednesday 26 July 2023

Call in of Executive decision - Review of 20mph Speed Limit and Zone Policy

1.0 PURPOSE OF REPORT

- 1.1 To enable the Committee to consider the Executive decision relating to the Review of the 20mph Speed Limit and Zone Policy, and to determine whether or not the Committee would wish to refer the decision back to the Executive for reconsideration or to the full Council and, if so, the nature of its concerns about the decision.

2.0 DECISION OF THE EXECUTIVE

- 2.1 On 4 July 2023 the following Executive decision was taken:

Resolved –

That:

- i. The core criteria for introducing 20mph speed limits and zones, as set out in the existing 20mph Speed Limit Policy remain unchanged;
- ii. Area-wide or default 20mph speed limits not be supported;
- iii. A series of planned reviews be undertaken, underpinned by a speed management strategy for the local road network, delivered over a defined period to generate a pipeline of schemes; and
- iv. Approval of the following be delegated to the Corporate Director for Environment in consultation with the Executive Member for Highways and Transportation:
 - a. Content and detail of the proposed speed management strategy; and
 - b. Prioritisation methodology for ranking proposed speed limit schemes.

- 2.2 A full copy of the Executive Report (Annex 1) is attached to this Report.

3.0 BACKGROUND

- 3.1 On 7 July 2023, written notice was received from more than six Members that they wished the Executive decision to be called in. The notice was made by Councillor Andy Brown, with support from Councillors Kevin Foster, Stuart Parsons, Arnold Warneken, Monika Slater, Hannah Gostlow, Melanie Davis, Felicity Cunliffe-Lister, Peter Lacey, Chris Aldred, Subash Sharma, Andrew Murday and Bob Packham.

The reasons given for the call in were stated as:

1. Insufficient weight was given to the likely impact of the decision on accidents and fatalities in residential streets in North Yorkshire
 2. The tendency of the majority of the public to slow down and respect speed limits was significantly underestimated and widespread non-compliance was assumed without adequate evidence. The potential to further utilize community speedwatch schemes was underestimated.
 3. Evidence of the benefits of 20mph speed limits was underestimated and the difficulties over estimated.
 4. Insufficient consultation was conducted with members of the public and Parish Councils impacted by the decision
 5. The range of alternative approaches that could have been adopted was not fully explored and the options available for consideration were limited.
 6. Costs of alternative approaches were exaggerated
 7. Issues of air quality improvement were insufficiently evaluated
- 3.2 The Council's rules in relation to the call in of an executive decision are set out in paragraph 16 of the Overview and Scrutiny Procedure Rule in the constitution [here](#)

4.0 THE ROLE OF THE OVERVIEW AND SCRUTINY COMMITTEE

- 4.1 It is for the Committee to consider the decision which has been subject to call in and then to decide whether, or not, it wishes to refer it back to the executive decision making body for reconsideration, setting out in writing the nature of its concerns, or whether, or not, it wishes to refer the matter to full Council.
- 4.2 If the Committee does not refer the matter back to the decision taker, or refer it to the Council, the decision will take effect on the date of this Overview and Scrutiny Committee meeting. The relevant parts of the Council's Overview and Scrutiny Committee Procedure Rules are set out below.

5.0 CALL IN

Note: Powers of call in apply only to functions which are the responsibility of the Executive.

- (d) If, having considered the decision, the Overview and Scrutiny Committee wishes to do so, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns, or refer the matter to full Council. If referred to the decision maker they shall then consider the matter, amending the decision or not, before adopting a final decision.
- (e) If following an objection to the decision, the Overview and Scrutiny Committee does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the Overview and Scrutiny meeting.
- (f) Where the matter has been referred to full Council, but the Executive decides that the matter must be determined prior to the next Council meeting, they

may proceed to determine the matter, and shall report the matter to the next Council meeting.

- (g) Subject to (f) above, if the matter was referred to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, (note: it has no locus to make decisions in respect of an executive decision unless it is contrary to the Policy Framework, or contrary to or not wholly consistent with the Budget) 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.

6.0 FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications arising from this report on the call in process.

7.0 LEGAL IMPLICATIONS

- 7.1 The process for dealing with call ins is set out in the Council Constitution.

8.0 EQUALITIES IMPLICATIONS

- 8.1 There are no equalities implications arising from this report on the call in process.

9.0 CLIMATE CHANGE IMPLICATIONS

- 9.1 There are no climate change implications arising from this report on the call in process.

10.0 RECOMMENDATION

- 10.1 That the Committee considers the decision taken and called in and determines whether, or not, it wishes to refer the decision back to the Executive for reconsideration or to the full Council and, if so, the nature of its concerns about the decision.

ANNEXES:

Annex 1: Report and Appendices: Review of 20mph Speed Limit and Zone Policy

Annex 2: Minutes Extract of the meeting of the Executive held on 4 July 2023

Barry Khan
Assistant Chief Executive – Legal and Democratic Services
County Hall
Northallerton
18 July 2023

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Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.