



NOTTINGHAM CITY COUNCIL
OVERVIEW AND SCRUTINY - CALL IN PANEL

Date: Tuesday, 20 February 2018

Time: 3.00 pm

Place: Ground Floor Committee Room - Loxley House, Station Street, Nottingham,
NG2 3NG

Councillors are requested to attend the above meeting to transact the following business

Corporate Director for Strategy and Resources

Governance Officer: Laura Wilson **Direct Dial:** 0115 8764301

- 1 APOLOGIES FOR ABSENCE**
- 2 DECLARATIONS OF INTERESTS**
- 3 CONFIRMATION OF VALIDITY OF CALL-IN** 3 - 28
- 4 CONSIDERATION OF CALL-IN REQUEST RELATING TO DELEGATED DECISION 3063 - TRINITY SQUARE MULTI STOREY CAR PARK BLUE BADGE DISCOUNT REMOVAL** 29 - 32
- 5 EXCLUSION OF THE PUBLIC**
To consider excluding the public from the meeting during consideration of the remaining item(s) in accordance with 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 6 CONSIDERATION OF CALL IN REQUEST RELATING TO DELEGATED DECISION 3063 - TRINITY SQUARE MULTI STOREY CAR PARK BLUE BADGE DISCOUNT REMOVAL - EXEMPT APPENDIX** 33 - 34

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT THE GOVERNANCE OFFICER SHOWN ABOVE, IF

POSSIBLE BEFORE THE DAY OF THE MEETING

CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST 15 MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES

CITIZENS ARE ADVISED THAT THIS MEETING MAY BE RECORDED BY MEMBERS OF THE PUBLIC. ANY RECORDING OR REPORTING ON THIS MEETING SHOULD TAKE PLACE IN ACCORDANCE WITH THE COUNCIL'S POLICY ON RECORDING AND REPORTING ON PUBLIC MEETINGS, WHICH IS AVAILABLE AT WWW.NOTTINGHAMCITY.GOV.UK. INDIVIDUALS INTENDING TO RECORD THE MEETING ARE ASKED TO NOTIFY THE GOVERNANCE OFFICER SHOWN ABOVE IN ADVANCE.

OVERVIEW AND SCRUTINY COMMITTEE – CALL-IN PANEL
20 FEBRUARY 2018
CONFIRMATION OF VALIDITY OF CALL-IN REQUEST RELATING TO DELEGATED DECISION 3063 – TRINITY SQUARE MULTI STOREY CAR PARK BLUE BADGE DISCOUNT REMOVAL
REPORT OF THE HEAD OF LEGAL AND GOVERNANCE

1. Purpose

A call-in request relating to Delegated Decision 3063 has been received. The purpose of this agenda item is to consider the validity of this call-in request.

2. Action required

The Panel is asked to confirm that the call-in request relating to Delegated Decision 3063 is valid.

3. Background information

3.1 The Council’s call-in procedure is set out in the Council’s Constitution. A guide to the call-in process is attached as an appendix to this report.

3.2 Delegated Decision 3063 was published on 1 February 2018 and the last date for call-in was 8 February 2018. A copy of the delegated decision has been attached as an appendix to this report.

3.3 The call-in request form was received by the Constitutional Services Team on 8 February 2018 having been signed by Councillors Armstrong and Rule. A copy of the call-in request form is attached as an appendix to this report. The call-in request form identified the following reasons for call-in:

3.4 Inadequate consultation relating to the decision

- *Lack of external consultation outside of Nottingham City Council, prior to publication of decision.*

3.5 Relevant information not considered

- *Impact on how disabled citizens will access City Centre if this is withdrawn.*

- *Availability of street parking in proximity to Trinity Square given increased demand arising from withdrawal of free parking from Trinity Square Car Park.*
- *Impact on wider traffic flows within City Centre arising from increases in on street parking.*

3.6 Viable alternatives not considered

- *No analysis provided on why Trinity Square was selected ahead of other NCC car parks where disabled users are entitled to park for free.*

3.7 Justification for the decision open to challenge on the basis of evidence considered.

- *No analysis provided on why Trinity Square was selected ahead of other NCC car parks where disabled users are entitled to park for free.*
- *No measures included on mitigating negative impact assessment.*

3.8 On the basis of the information provided, the Governance Manager has confirmed the validity of the call-in request. The Governance Manager commented that:

“The call-in request is in time, in writing, signed by the required number of councillors and identifies the reason for the call-in as required under the call-in procedure. The call-in is also valid in that the decision is not one exempted from call-in under the call-in procedure rules and is a relevant decision for call-in under those rules.”

3.9 The Call-In Panel is asked to endorse this view.

4. **List of attached information**

The following information can be found in the appendices to this report

Appendix 1 – Overview and Scrutiny: Guide to Call-In

Appendix 2 – Delegated Decision 3063 – Trinity Square Multi Storey Car Park Blue Badge Discount Removal

Appendix 3 – Delegated Decision 3063 – Trinity Square Variation of Charges Notice 2018

Appendix 4 – Delegated Decision 3063 – Trinity Square Variation of Charges Notice 2017

Appendix 5 – Delegated Decision Equality Impact Assessment

Appendix 6 – Delegated Decision Exempt Appendix

Appendix 7 – Call-in Request Form

5. **Background papers, other than published works or those disclosing exempt or confidential information**

None

6. **Published documents referred to in compiling this report**

Nottingham City Council's Constitution

<http://www.nottinghamcity.gov.uk/article/24275/Nottingham-City-Councils-Constitution>

Delegated Decision 3063 – Trinity Square Multi Storey Car Park Blue Badge Removal

7. **Wards affected**

All

8. **Contact information**

Laura Wilson, Senior Governance Officer
laura.wilson@nottinghamcity.gov.uk
0115 8764301

Jane Garrard, Senior Governance Officer
jane.garrard@nottinghamcity.gov.uk
0115 8764315

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Overview and scrutiny: Guide to call-in

What is call-in

Call-in is a mechanism for scrutinising Executive decisions. Overview and scrutiny has the power to ask for an Executive decision to be reconsidered if, during the five working days immediately following an Executive decision, valid concerns are raised about the way in which the decision has been taken, for example that relevant information was not considered. This power is set out in national legislation and arrangements for putting it into practice are in the Council's Constitution.

Making a request to call-in a decision

Executive decisions are published on the Council's website. Following publication of an Executive decision there is a period of five working days during which non-executive councillors can request that the decision be called-in. The decision is not allowed to be implemented until the period of five working days has expired.

Decisions that can be called-in are those of:

- The Executive Board
- A committee of the Executive Board
- An individual Portfolio Holder
- Executive decision made by an Area Committee
- Executive decisions (£50,000 or more) made by an officer under authority delegated by the Leader, Executive Board or a committee of the Executive Board or by an officer to officer sub-delegation of powers within the Council's Scheme of Delegation

with the exception of decisions made under the urgency procedure, which cannot be called-in.

Requests to call-in a decision must be made in writing using the Call-In Request Form and signed by three non-executive councillors. Where a political group comprises only 3 or 2 councillors, and where there are no other minority groups or independent councillors on the Council, the requirement for three councillors to request reconsideration of the decision (call-in) is reduced to 2 (where the group comprises 3 councillors) and to 1 (where the group comprises 2 councillors).

Copies of the Call-In Request Form are available from the Constitutional Services Team (contact details at the end of this Guide).

When requesting a decision is called-in, at least one of the following reasons must be cited, along with further explanation for the reason(s) given:

- The decision is outside the Council's policy and/or budgetary framework
- Inadequate consultation relating to the decision
- Relevant information not considered
- Viable alternatives not considered

- Justification for the decision to be open to challenge on the basis of the evidence considered.

What happens when a request to call-in a decision is received

The Governance Manager is responsible for assessing the validity of call-in requests. If any doubt remains the Monitoring Officer will make the decision on whether the request is valid or not. Defamatory and frivolous requests will be rejected.

At this time, the relevant decision-maker, Portfolio Holder, Director and contact colleague will be informed that implementation of the decision is suspended until the outcome of the call-in has been determined. If the suspended decision relates to a contract or other procurement issue, the Contract Procurement Manager should also be notified.

The Call-In Panel (a sub-committee of the Overview and Scrutiny Committee) is responsible for considering call-in requests. Therefore once a request is considered to be valid, a meeting of the Panel will be scheduled. This meeting must be held within seven working days of the receipt of the request, or at a later date if agreed by the Chair of Overview and Scrutiny.

Meetings of the Call-In Panel

The purpose of the Call-In Panel meeting is to:

- a) Agree that the call-in is valid as set out in the Council's Constitution
- b) Consider whether the Executive decision should be referred back to the decision-maker for further consideration or whether it can be implemented.

Suggested procedure to be followed

When the meeting begins the Chair will:

1. Ask the Panel to agree whether the call-in is valid and agree the parameters for the discussion.
2. Ask the relevant Portfolio Holder (or relevant decision maker) to briefly outline details of, and reasons for their decision [suggested time: 10 minutes]
3. Ask a representative of the councillors who requested the call-in to briefly outline their concerns and reasons for these [suggested time: 10 minutes]
4. Ask the decision maker (and their supporting colleagues) to briefly respond to the points raised [suggested time: 10 minutes]

Members of the Call-In Panel will then discuss the call-in request, the decision and invite the decision taker and the councillors who requested the call-in to respond to any questions raised by the Panel.

The Chair will invite the decision maker and a representative of the councillors who requested the call-in to sum up any final comments [suggested time: 5 minutes each]. Following this, the decision maker (and their supporting colleagues) and the councillors who requested the call-in may leave the meeting if they chose to as they are not required to remain at the meeting during the deliberations.

Focusing on the reasons for the call-in as given in the Call-In Request Form, and based on the evidence from the decision maker and the councillors who requested the call-in, the Panel will then decide to either:

- a) require that the decision is reconsidered, and make recommendation(s) as to what should be taken into consideration; or
- b) agree that the decision does not need to be reconsidered and can be implemented.

In both cases, reasons will be given by the Panel for its decision.

If the Panel agrees that the decision should be reconsidered it can:

- a) refer the decision back to the decision-maker for reconsideration; or
- b) refer the decision to full Council if they feel that the decision made is contrary to the Council's policy and/or budgetary framework.

In addition, the Panel can make other relevant recommendations which will be referred to the relevant Portfolio Holder, or the Executive Board for response.

What happens following the meeting of the Call-In Panel

Following the meeting, the relevant decision-maker, Portfolio Holder, Director and contact colleague will be informed of the outcome of the meeting.

If the Panel decides that the decision does not need to be reconsidered, then it can be implemented immediately.

If the Panel refers the decision back to the decision-maker then it will be reconsidered in light of comments made by the Panel. The decision-maker can decide whether to amend the original decision or not before adopting a final decision. This final decision cannot be subject to further call-in.

Additional recommendations made by the Panel will be treated in the same way as any other recommendations made by overview and scrutiny, and referred to the relevant Portfolio Holder or Executive Board. They will be asked to provide a response to say whether they agree to implement the recommendation(s) and how they intend to do so. Progress on implementation will then be reviewed at a later date. If they decline to implement a recommendation they will be asked to explain why.

Contact information

For further information about call-in, or any other matters related to overview and scrutiny, contact Constitutional Services

Jane Garrard	0115 8764315	jane.garrard@nottinghamcity.gov.uk
Laura Wilson	0115 8764301	laura.wilson@nottinghamcity.gov.uk

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Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

3063

Author:

Annmarie Scott-Reddish

Department:

Commercial and Operations

Contact:

Annmarie Scott-Reddish

(Job Title: Parking and Commercial Manager, Email: annmarie.scott-reddish@nottinghamcity.gov.uk, Phone: 07925891639)

Subject:

Trinity Square Multi Storey Car Park (MSCP) Blue Badge Discount Removal

Total Value:

£50,000 per annum (Type: Revenue)

Decision Being Taken:

Subject to public consultation and full Council approval of the Medium Term Financial Plan (Budget) for 2018/19 to 2020/21 when it meets on 5 March 2018:

1. To authorise a variation to parking charges at Trinity Square MSCP specified in Part 1 Schedule 9 of the Nottingham City Council Order 2013 (OSP 8012) as varied on 3/05/2017 under s35C of the Road Traffic Regulation Act 1984, by substitution with the charges specified in the Notice at Appendix 1.
2. To authorise the Head of Parking Services to review parking charges as specified in Part 1 Schedule 9 of the Nottingham City Council Order 2013 annually.
3. The Corporate Director for Commercial and Operations, in exercise of the Area Committee Executive Powers under delegation 82(b), approves the making of a variation to charges at the off street parking place at 1 above, subject to consultation with the relevant Area Committee's Chair and a report, for information, being submitted to the next available meeting.

Reasons for the Decision(s)

Nottingham has one of the most comprehensive and accessible public transport systems in the country with award winning operators which is accessible by disabled persons holding a Mobility Card. Supplementing this is the ability to park for free on-street, for Disabled Person Badge holders ("Disabled Person Badge" has the same meaning as in 'The Local Authorities 'Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 i.e a Blue Badge). So no disabled person is forced to pay to come into the City. Beyond this the City Council has made available off-street parking at a number of locations across the City under section 32 of the Road Traffic Regulation Act 1984 (RTRA 84) for the purposes of relieving or preventing congestion of traffic as appears to be necessary. Under section 35 of the RTRA 84 the City Council has by Nottingham City Council (City of Nottingham) (Car Park Name Changes) Order 2013 (OSP 8012) as varied on 3rd day of May 2017, made provision as to the charges to be paid in connection with the use of the off-street parking.

A concession from parking charges is currently available for the first 4 hours of parking for Blue Badge holders under the above Order. Blue Badge Holders pay a charge for parking over and above the first 4 hours. Currently, parking staff at the Customer Service Hub within the car park verify and validate Blue Badges and the Blue Badge holder parking ticket to validate their stay and ensure they can exit the carpark.

Nottingham City Councils Parking Services department have proposed to restructure its operational duties. As part of this proposal, it has been recommended that the Customer Service Hub at Trinity Square MSCP to be de-manned. This proposal is subject to public consultation and full Council approval of the Medium Term Financial Plan (Budget) for 2018/19 to 2020/21 when it meets on 5 March 2018.

If approved, the parking staff will no longer be able verify Blue Badge holders and validate the vehicles stay. The restructuring will also mean that parking staff will be unable to take parking charge payments from Motorcyclists and Cycle Store users, as this is currently a manual process therefore parking for these users will become free of charge.

Disabled bays will continue to be provided in Trinity Square MSCP but normal-parking charges will apply. Blue Badge holders are still able to park free for up to 4 hours in Curzon Street, Sneinton Market Square, Nottingham Arena and Nottingham Castle Car Parks, in on-street parking bays and park on single or double yellow lines for up to three hours.

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Briefing notes documents:

Variation Notice May 2017 PostLite.docx, Appendix 1 VN 8013_18 - Trinity Sq SAH Site Notice v2.docx

Other Options Considered:

Do nothing: This option has been discounted as Parking Services are de-manning the carpark so there would be no one onsite to validate the blue badges in accordance with the blue badge scheme.

Background Papers:

None

Published Works:

None

Affected Wards:	St Ann's
Colleague / Councillor Interests:	None
Any Information Exempt from publication:	Yes
Exempt Information:	
Description of what is exempt:	The implications of the proposals
	An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972
3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).	The public interest in maintaining the exemption outweighs the public interest in disclosing the information because it could prejudice the commercial viability of the proposals
Documents exempt from publication:	170929-v0.1-NS Budget Template Blue Badges-MJR-E8.docx
Consultations:	Date: 25/10/2017 Minority Groups: Disability Involvement Group Engaged with the internal disabled employee support network (DESN) and disability involvement group (DIG)
	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	N/A
Equality:	Please login to the system to view the EIA document: BBH EIA - 301117 v2.doc

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 08/02/2018

Advice Sought: Legal, Finance, Equality and Diversity

1. The City Council may provide off-street parking places for vehicles for the purposes specified in section 32 of the Road Traffic Regulations Act 1984. It may by order under section 35 make provision as to the charges to be paid in connection with its use. It may vary those charges by the Notice under section 35C of the same Act. The procedure to be followed in giving notice under this section is specified in regulation 25 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.
2. The City Council has exercised its powers under section 32 and 35 of the Road Traffic Regulation Act 1984 by the making of the NOTTINGHAM CITY COUNCIL (CITY OF NOTTINGHAM) (CAR PARK NAME CHANGES) ORDER 2013 (OSP 8012).
3. Subject to public consultation on and full Council approval of the Medium Term Financial Plan (MTFP) (Budget) for 2018/19 to 2020/21, and the proposal becoming necessary, to vary the parking charges as proposed the City Council will need to publish its Variation Notice at least once in a newspaper circulating in the area in which the parking places to which the notice relates are situated at least 21 days before it is due to come into force. The notice must specify the date when it is due to come into force; identify every parking place to which the notice relates; specify in respect of each such parking place, (i) the charges payable for the use of the parking place at the date the notice is given; (ii) the charges that will be payable when the notice comes into force.
4. The City Council will need to cause a copy of the notice to be displayed in the parking place on the date on which the notice is given and take all reasonable steps to ensure that it continues to be so displayed and remains in a legible condition until the date on which it comes into force; and (b) shall, if it thinks fit, cause additional copies to be so displayed in the parking place and in roads giving access to the parking place.
5. There is dual responsibility under the City Council's constitution for the decision being taken between the Area Committee and Corporate Director for development and Growth or the Portfolio Holder for Neighbourhood Service and Local Transport. Where a decision is urgent, delegation 82(b) can be relied upon, and subject to consultation with the Area Committee Chair and a report for information being presented at its next meeting, the Corporate Director for Communities may exercise a power delegated to Area Committee. It is understood that the relevant Chair has been consulted and that a suitable report will be taken to the next area committee in due course.
6. The City Council must use the income it generates from the parking charges in accordance with section 55 of the 1984 Act. The charges can't simply be imposed to raise revenue. Such a decision would be subject to Judicial Review - see *Attfiield R (on application of) v London Borough of Barnet* [2013] EWHC 20859.
7. Whilst there remains some risk of challenge to the decision to be made being taken at this point, on the grounds that the decision pre-empts consultation on the MTFP not affecting the proposal, by making the decision subject to any public consultation response on the MTFP the risk of challenge is reduced.

Advice provided by Richard Bines (Solicitor) on 11/01/2018.

Finance Advice:

<p>This proposal recommends Nottingham City Council remove the blue badge concession of four hours in Trinity Square MSCP by September 2018.</p> <p>In the financial year 2018/19, should this proposal be agreed, income generation will be £25k. For financial years 2019/20 & 2020/21, income generation will be £50k per year.</p> <p>This will have a positive impact on the Medium Term Financial Plan.</p>

Equality and Diversity Advice:

<p>effective communication, on-going consultation and monitoring will need to be at the heart of the proposal to ensure minimised adverse impacts Advice provided by Adisa Djan (Equalities and Diversity Consultant) on 13/12/2017.</p>
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Signatures

Sally Longford (PH for Neighbourhood Services & Local Transport)
SIGNED and Dated: 19/01/2018
Andrew Vaughan (Corporate Director Commercial and Operations)
SIGNED and Dated: 31/01/2018



**NOTTINGHAM CITY COUNCIL (TRINITY SQUARE, NOTTINGHAM) (OFF-STREET PARKING PLACES)
VARIATION OF CHARGES NOTICE 2018 (VN 8013/18)**

Nottingham City Council ("the Council") in exercise of its powers to issue a NOTICE OF VARIATION in accordance with Section 35C of the Road Traffic Regulation Act 1984 as amended and by the virtue of Regulation 25 of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, gives notice of its intention to vary charges as detailed below. This Notice shall not come into force before a period of 21 days from the date of this Notice.

This Notice comes into force on 1st day of April 2018 in respect of the car parking rates for a Disabled Person's Vehicle, Solo Motor Cycles and Cycles within the Trinity Square Multi Storey Car Park. The new rates for car parking are specified in Column 5 of Schedule 1 below insofar as they relate to the class of vehicle/user and for the duration of stay as specified in Columns 2 and 4 respectively, whereas the figures shown in brackets in Column 3 show the rates prior to the 1st day of April 2018.

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4		Column 5
Name of Parking Place	Class of Vehicle / User for which parking place may be used	Position in which Vehicle may be left	Existing Scale of Charges (Pay and Display)		Charges from 1 st April 2018
Trinity Square (Parking Area)	Disabled Person's Vehicle	Disabled parking place or a parking place (wholly within a marked space)	Up to 2 hours	(free)	£4.40
			Up to 4 hours	(free)	£6.60
			Up to 6 hours	(£4.40)	£10.00
Up to 8 hours			(£6.60)	£13.00	
Up to 24 hours			(£15.00)	£15.00	
Evening*			(£7.50)	£7.50	
Overnight**	(£12.00)	£12.00			
	Solo Motor Cycle	Parking place (wholly within a designated solo motorcycle space)	Daily	(£2.00)	free
			Weekly	(£7.50)	free
	Cycle	Parking place (cycle locker)	Daily	(£1.00)	free
			Weekly	(£3.00)	free

* To qualify for Evening Rate, arrival **must** be after 5:00pm and leave by 02:00am subject to the Order.

** To qualify for Overnight Rate, arrival **must** be after 5:00pm and leave by 10:00am subject to the Order.

DATED THIS xx March 2018

Director of Traffic and Transport, Nottingham City Council, Traffic Management, Loxley House, Station Street, Nottingham, NG2 3NG

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NOTTINGHAM CITY COUNCIL (CITY OF NOTTINGHAM) (OFF-STREET PARKING PLACES) VARIATION OF CHARGES NOTICE 2017

Nottingham City Council ("the Council") in exercise of its powers to issue a NOTICE OF VARIATION in accordance with Section 35C of the Road Traffic Regulation Act 1984 as amended and by the virtue of Regulation 25 of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, gives notice this Notice of Variation shall not come into force before the period of 21 days from the date of this Notice. This Notice comes into force on 3rd day of **May 2017** and specifies in columns 2, 3, 4 and 5 of Schedule 1 below new rates for car parking for the time or of the type specified in column 1 thereof in respect of the car parks mentioned in columns 2, 3, 4 and 5 thereof, where the figures in brackets shows the rates before 3rd day of **May 2017**.

SCHEDULE 1

Column 1	Column 2		Column 3		Column 4		Column 5	
Time/Type	Broadmarsh		Trinity Square		Lace Market		Curzon Street	
Up to 2 hours	3.80	(3.70)	4.40	(4.30)	4.20	(4.00)	2.00	(1.80)
Up to 4 hours	6.00	(6.00)	6.60	(6.50)	6.50	(6.40)	3.80	(3.50)
Up to 6 hours	10.00	(10.00)	10.00	(10.00)	10.00	(10.00)	N/A	
Up to 8 hours	12.00	(12.00)	13.00	(13.00)	13.00	(13.00)	N/A	
Up to 15 hours	N/A		N/A		N/A		6.00	(6.00)
Up to 24 hours	14.00	(14.00)	15.00	(14.00)	15.00	(15.00)	N/A	
Evening*	N/A	(5.50)	7.50	(7.00)	7.50	(7.00)	N/A	
Overnight**	3.00	(3.00)	12.00	(12.00)	12.00	(12.00)	N/A	
Saturday Max Fee	5.00	(5.00)	N/A		N/A		N/A	
Sunday Max Fee	4.00	(3.00)	N/A		6.00	(5.00)	N/A	

Notes. (1) N/A means not applicable. (2) Blue Badge Holders may park for the first 4 hours free; thereafter normal rates begin to apply (except Lace Market where this allowance is no longer offered, general prices apply).

* To qualify for Evening Rate, arrival **must** be after 5 pm and leave by 2 am subject to the Order.

** To qualify for Overnight Rate, arrival **must** be after 5 pm and leave by 10 am subject to the Order.

THIS NOTICE IS DATED THIS 5th DAY OF APRIL 2017.

Director of Traffic and Transport, Nottingham City Council, Traffic Management, Loxley House, Station Street, Nottingham, NG2 3NG

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Equality Impact Assessment Form (Page 1 of 2)

Title of EIA/ DDM: Trinity Square Multi Storey Car Park Blue Badge Discount Removal

Name of Author: Annmarie Scott-Reddish

Department: Commercial & Operations

Service Area: Parking Service

(please underline)

Author (assigned to Covalent): Annmarie Scott-Reddish

Director: Dave Halstead

Strategic Budget EIA N

Brief description of proposal / policy / service being assessed:

Due to the restructuring of the operational duties within parking services, parking services will be de-manning the Trinity Square carpark, this means that parking staff would no longer be able to verify blue badges in accordance with the blue badge scheme or sustain the concessionary provision.

Blue Badge holders will still be able to park free for up to 4hrs in Curzon Street, Sneinton Market Square, Nottingham Arena and Nottingham Castle Car Parks, in on-street parking bays and park on single or double yellow lines for up to three hours.

Provision of free blue badge parking was removed from the Lace Market MSCP four years ago and as a result, the car park was de-manned. Parking Services received very few complaints regarding this move, in part due to an extensive engagement and communications campaign but also because many Blue Badge holders no longer expect free parking as the number of parking operators providing the concession reduces. Other major parking providers in Nottingham no longer give concessions. The only parking provider, which does, is INTU, which uses the rents received from its store operators to subsidise their concession of four hours' free parking.

Considerable investment has been made by Nottingham City Council to make public transport options more accessible to disabled and elderly users. Nottingham has one of the most comprehensive and accessible public transport systems in the country with award winning operators and with the use of a Mobility Card and the ability to park for free on street, no Blue Badge holder is forced to pay to come into the City.

Information used to analyse the effects on equality:

- The Equality Act 2010
- The current list of Disabled Parking bays within the City of Nottingham
- Provision of free Blue Badge) parking was removed from the Lace Market MSCP four years ago and as a result the car park de-manned. Parking Services received very few complaints regarding this move, in part due to an extensive engagement and communications campaign but also because many Blue Badge holders no longer expect free parking as the number of parking operators providing the concession reduces.
- Information provided by neighbouring cities on their Blue Badge parking entitlements.

	Could particularly benefit X	May adversely impact X	How different groups could be affected (Summary of impacts)	Details of actions to reduce negative or increase positive impact (or why action isn't possible)
People from different ethnic groups.	<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> • The removal of the provision of free parking for Blue Badge 	<ul style="list-style-type: none"> • Have already proactively engaged with the Equality and Diversity team

Men	<input type="checkbox"/>	<input type="checkbox"/>
Women	<input type="checkbox"/>	<input type="checkbox"/>
Trans	<input type="checkbox"/>	<input type="checkbox"/>
Disabled people or carers.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pregnancy/ Maternity	<input type="checkbox"/>	<input type="checkbox"/>
People of different faiths/ beliefs and those with none.	<input type="checkbox"/>	<input type="checkbox"/>
Lesbian, gay or bisexual people.	<input type="checkbox"/>	<input type="checkbox"/>
Older	<input type="checkbox"/>	<input type="checkbox"/>
Younger	<input type="checkbox"/>	<input type="checkbox"/>
Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, vulnerable children/ adults). <i>Please underline the group(s) /issue more adversely affected or which benefits.</i>	<input type="checkbox"/>	<input type="checkbox"/>

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<p>holders. Blue Badge bays will continue to be provided in trinity square carpark but normal-parking charges will apply. This means that anyone with a Blue Badge will have to pay to park in Trinity Square MSCP.</p> <ul style="list-style-type: none"> Any member of the public that holds a Blue Badge currently takes a ticket on entry to our MSCP's. At various locations, designated disabled spaces are available, but all Blue Badge holders may park in any available space. To exit an MSCP Blue Badge holders are required to visit the customer service desk to validate their ticket to receive four hours parking free. The move to an unmanned operation may result in lone female patrons feeling less safe when using the car parks at quiet times. 	<p>(Annette Molyneux), IRIS Project, Disability Involvement Group (DIG), Disabled Employee Support Network (DESN) on the 25th October 2017 regarding the proposal.</p> <ul style="list-style-type: none"> There are Blue Badge parking spaces in other locations that enable Blue Badge holder's to park for free for up to 4hrs in Curzon Street, Sneinton Market Square, Nottingham Arena and Nottingham Castle Car Parks, in on-street parking bays and park on single or double yellow lines for up to three hours. Full and thorough media communication campaign. This will involve producing a leaflet, advising of the change and informing Blue Badge holders where they are still able to park for free i.e. on street/off street. These will be distributed to the groups mentioned above; Tourist Information centre and the information will be included on the parking services website. Remote control and observation of the car parks via CCTV links to identify unwanted activity and provide for a quick response if needed
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Outcome(s) of equality impact assessment:

- No major change needed
- Adjust the policy/proposal
- Adverse impact but continue
- Stop and remove the policy/proposal

Arrangements for future monitoring of equality impact of this proposal / policy / service:

Note when assessment will be reviewed (e.g. Review assessment in 6 months or annual review); Note any equality monitoring indicators to be used; consider existing monitoring/reporting that equalities information could form part of.

This will be subject to consultation and Councillor sign off.

Approved by (manager signature):

The assessment must be approved by the manager responsible for the service/proposal. Include a contact tel & email to allow citizen/stakeholder feedback on proposals.

Jason Gooding: Jason.Gooding@nottinghamcity.gov.uk

Date sent to equality team for publishing:

2nd November 2017

Send document or link to:

equalityanddiversityteam@nottinghamcity.gov.uk

Before you send your EIA to the Equality and Community Relations Team for scrutiny, have you:

- Page 23
1. Read the guidance and good practice EIA's
<http://www.nottinghamcity.gov.uk/article/25573/Equality-Impact-Assessment>
 2. Clearly summarised your proposal/ policy/ service to be assessed.
 3. Hyperlinked to the appropriate documents.
 4. Written in clear user friendly language, free from all jargon (spelling out acronyms).
 5. Included appropriate data.
 6. Consulted the relevant groups or citizens or stated clearly when this is going to happen.
 7. Clearly cross referenced your impacts with SMART actions.

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Nottingham City Council
Executive Decision Call-In Request Form

This form should be submitted to the Governance Manager, Constitutional Services, Resources by midnight on the fifth working day after the decision publication date. The signed form should be submitted in original hard copy. If the form is being submitted after the office has closed on the fifth working day, it should be signed, scanned and emailed to *all* of the following individuals:

Senior Governance Officers

jane.garrard@nottinghamcity.gov.uk

rav.kalsi@nottinghamcity.gov.uk

laura.wilson@nottinghamcity.gov.uk

The original hard copy of the form must then be provided to the Governance Manager on the following morning.

For further information about the call-in procedure please see the Overview and Scrutiny Guide to Call-In and/ or contact the Senior Governance Officers on 0115 8764315 or 0115 8763759.

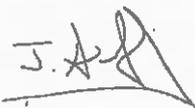
Date of decision publication: 31 January 2018	
Portfolio Holder Decision reference number: 3063	
<u>or</u> Executive Board minute number:
<u>or</u> Executive Board Sub Committee minute number:
<u>or</u> Area Committee minute number:
<u>or</u> Officer Decision reference number:
Description of decision: Trinity Square Multi Storey Car Park (MSCP) Blue Badge Discount Removal	

The following signatories request that the above decision be called in.



1. Signature

Print name: Andrew Rule



2. Signature

Print name: Jim Armstrong

Reason for requesting the decision be called in

The request for call-in must be based on one or more of the following reasons below.
[Tick the appropriate box or boxes and provide details for the reason, appending additional sheets if necessary]

<p><u>Reason for requesting call-in:</u> a) The decision is outside the budget/ policy framework</p>	
<p><u>Reason for requesting call-in:</u> b) Inadequate consultation relating to the decision</p> <p>Lack of external consultation outside of Nottingham City Council; prior to publication of decision.</p>	
<p><u>Reason for requesting call-in:</u> c) Relevant information not considered</p> <p>Impact on how disabled citizens will access City Centre if this is withdrawn.</p> <p>Availability of street parking in proximity to Trinity Square given increased demand arising from withdrawal free parking from Trinity Square Car Park.</p> <p>Impact on wider traffic flows within City Centre arising from increases in on street parking</p>	
<p><u>Reason for requesting call-in:</u> d) Viable alternatives not considered</p> <p>No analysis provided on why Trinity Square was selected ahead of other NCC car parks where disabled users are entitled to park for free.</p>	
<p><u>Reason for requesting call-in:</u> e) Justification for the decision open to challenge on the basis of evidence considered</p> <p>No analysis provided on why Trinity Square was selected ahead of other NCC car parks where disabled users are entitled to park for free.</p> <p>No measures included on mitigating negative impact assessment.</p>	

Suggestions for Call In Panel meeting

If the call in request is valid a meeting of the Call In Panel will be held. Please list below any evidence and/ or contributors that you think should be made available to the Call In Panel.

[Please note that these will be considered as suggestions only and the final decision on evidence and contributors will be made by the Chair of the Call In Panel.]

Suggested list of evidence to be provided/ contributors to attend the Call In Panel meeting

Head of Traffic and Safety

Scope

Disability Direct Nottingham

For office use only:

Received on behalf of the Governance Manager by: N. Barnard (signature)

Name: Nancy Barnard

Date: 08/02/2018

Time: 6.30pm

Validation Check:

Governance Manager

Date of publication: 01/02/2018 Date of call-in: 08/02/2018 In time: YES / NO

Office checks that call-in is valid against requirements as set out in the Constitution: YES / NO

Reason: The call-in request is in time, in writing, signed by the required number of councillors & identifies the reasons for the call-in, as required under the call-in procedure. The call-in is also valid in that the decision is not one exempted from call-in under the call-in procedure rules & is a relevant decision for call-in under those rules

Completed by: N. Barnard (signature)
Nancy Barnard (name)

Date: 12/02/2018 Time: 5:20pm

Validation Check: (if necessary)

Monitoring Officer

Valid: YES / NO

Reason:

.....

Completed by: (signature)
..... (name)

Date: Time:

Referrals:

Date copied to Corporate Director / Portfolio Holder12/02/2018.....

Name of Corporate DirectorAndy Vaughan.....

Name of Portfolio HolderCouncillor Sally Longford.....

Date copied to Chair of Overview and Scrutiny Committee:12/02/2018.....

OVERVIEW AND SCRUTINY COMMITTEE – CALL IN PANEL
20 FEBRUARY 2018
CONSIDERATION OF CALL IN REQUEST RELATING TO DELEGATED DECISION 3063 – TRINITY SQUARE MULTI STOREY CAR PARK BLUE BADGE DISCOUNT REMOVAL
REPORT OF HEAD OF LEGAL AND GOVERNANCE

1 Purpose

- 1.1 To consider the call-in request relating to Delegated Decision 3063 – Trinity Square Multi Storey Car Park Blue Badge Discount Removal.

2 Action required

- 2.1 The Panel is asked to:
- a) consider the information provided in relation to Delegated Decision 3063 – Trinity Square Multi Square Car Park Blue Badge Discount Removal, and the reasons given for requesting a call in of that decision and use that information to inform questioning and discussion; and
 - b) focusing on the reasons for the call in as given in the call in request form, and based on the evidence available to the Panel, decide:
 - i) to require that the decision is reconsidered, and make recommendation(s) as to what should be taken into consideration; or
 - ii) that the decision does not need to be reconsidered and can be implemented.

3 Background information

- 3.1 Delegated Decision 3063 – Trinity Square Multi Storey Car Park Blue Badge Discount Removal was taken by Councillor Sally Longford, and published on 1 February 2018. A copy of the decision is attached to agenda item ‘Confirmation of Validity of Call In Request’. Councillor Longford has been invited to attend the meeting to outline the details of, and reasons for the decision and answer questions from the Panel regarding this.
- 3.2 The call in request form was signed by Councillors Armstrong and Rule and a representative of those councillors has been invited to attend the meeting to outline their concerns and the reasons for these. A copy of the call in request form is attached to agenda item ‘Confirmation of Validity of Call In Request.’

- 3.3 Based on the points raised in the call in request form, additional information regarding the decision has been requested and will be made available to the Panel.
- 3.4 Focusing on the reasons for the call in as given in the call in request form, and based on the evidence available to it, the Panel needs to decide:
- a) to require that the decision is reconsidered, and make recommendation(s) as to what should be taken into consideration; or
 - b) that the decision does not need to be reconsidered and can be implemented.
- In both cases, the Panel needs to provide reasons for its decision.
- 3.5 If the Panel decides that the decision should be reconsidered it can:
- a) refer the decision back to the Portfolio Holder for reconsideration; or
 - b) refer the decision to full Council if it feels that the decision made is contrary to the Council's policy and/ or budgetary framework.
- 3.6 In addition, the Panel can make other relevant recommendations which will be referred to the relevant Portfolio Holder, or the Executive Board for response.

4 List of attached information

- 4.1 Additional information for consideration by the Panel

5 Background papers, other than published works or those disclosing exempt or confidential information

- 5.1 None

6 Published documents referred to in compiling this report

- 6.1 Delegated Decision 3063 – Trinity Square Multi Storey Car Park Blue Badge Discount Removal

7 Wards affected

- 7.1 All

8 Contact information

8.1 Laura Wilson, Senior Governance Officer
laura.wilson@nottinghamcity.gov.uk
0115 8764301

Jane Garrard, Senior Governance Officer
jane.garrard@nottinghamcity.gov.uk
0115 8764315

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