

**Corporate Overview and Scrutiny  
Management Board**

**16 December 2019**



**Request for Call-in – County Durham  
Plan: Delivery of the Western Relief  
Road**

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**Report of Helen Lynch, Head of Legal and Democratic Services**

**Electoral division(s) affected:**

Deerness, Framwellgate, Newton Hall, and Neville's Cross Electoral Divisions

**Purpose of the Report**

- 1 To advise the Corporate Overview and Scrutiny Management Board of a request for call-in of a cabinet decision, and of the decision made by the Chairman of the Board not to call-in the decision.

**Executive summary**

- 2 On 21 November 2019, a request was received by the Head of Legal and Democratic Services for call-in of Cabinet decision agenda item number 10. The report related to the County Durham Plan – Delivery of the Western Relief Road. The request was shared with the Deputy Monitoring Officer and the Chief Finance Officer. A copy of the request is attached at Appendix 2.
- 3 On 27 November 2019, the Deputy Monitoring Officer consulted the Chair of the COSMB, who decided not to call the decision in. In doing so, he took into account the advice of the Deputy Monitoring Officer that delaying the implementation of the decision would not be likely to cause significant damage to the Council's interest.
- 4 Having considered this, he then considered whether a case had been made for calling in the decision and concluded that it had not.
- 5 In summary, his reasons for this were that the County Durham Plan and the Western Relief Road that features within it have been subject to several consultation opportunities, including consideration by the County Council's Economy and Enterprise Overview and Scrutiny Committee. He also considered that the report to Cabinet was a commitment in principle to deliver the Western Relief Road subject to the outcome of the County Durham Plan process and any potential

modifications that the Planning Inspector may propose following his Interim findings. Further details in respect of funding to those stated within the Cabinet report cannot be determined at this early stage though the report also notes that further funding opportunities exist and will be explored.

### **Recommendation**

- 6 The Corporate Overview and Scrutiny Board is asked to note this report.

## **Background**

7 On 21 November 2019, a request was received by the Head of Legal and Democratic Services for call-in of Cabinet decision agenda item number 10. The report related to the County Durham Plan – Delivery of the Western Relief Road. The request was shared with the Deputy Monitoring Officer and the Chief Finance Officer. A copy of the request is attached at Appendix 2.

8 On 27 November 2019, the Deputy Monitoring Officer consulted the Chair of the COSMB, who decided not to call the decision in. In doing so, he took into account the advice of the Deputy Monitoring Officer that delaying the implementation of the decision would not be likely to cause significant damage to the Council's interest.

9 Having considered this, he then considered whether a case had been made for calling in the decision and concluded that it had not.

10 His reasons for this were as follows:

### **Appropriate Levels of Scrutiny**

11 The County Durham Plan and the Western Relief Road that features within it have been subject to several consultation opportunities including consideration by the Council's Economy and Enterprise OSC as follows:

#### Issues and Options Stage - 2016

12 The Issues and Options sought comments on 50 specific questions including on congestion on the A167 between Nevilles Cross and Sniperley roundabout. A six-week consultation concluded on the 8 August 2016 and a total of 4,929 responses were received from 823 respondents to all aspects of the County Durham Plan.

#### Preferred Options - 2018

13 The Preferred Options set out an approach for ensuring that County Durham is a successful place to live, work and invest. This was consulted upon for six weeks ending on the 3 August 2018 and included policies for supporting economic ambition, providing the right homes in the right places, addressing rural employment and securing infrastructure and higher design quality. The Western Relief Road was included within this consultation document which was considered during an Economy and Enterprise OSC workshop on the 9 July 2018 to which all non-executive members were invited. The detailed response included comments regarding the proposed relief roads and was fed into the ongoing consultation process.

- 14 A total of 3,990 comments were received from 1,130 different respondents.

#### Pre-Submission Stage - 2019

- 15 The Pre-Submission took into account comments received to the previous consultation stages and was informed by a comprehensive suite of evidence base. A six-week consultation took place and closed on the 8 March 2019. The Western Relief Road was included within this consultation document. A further workshop on the County Durham Plan and Housing Strategy was undertaken on the 4 February by the Economy and Enterprise OSC to which all non-executive members were invited. A total of 2,877 comments were received from 1,003 different respondents.
- 16 Following three stages of consultation, Full Council agreed on the 19 June 2019 to submit the draft CDP to the Secretary of State for Communities and Local Government for an Examination in Public. Should modifications to the plan be proposed following the Planning Inspector's interim findings then there will be further opportunity for consultation and scrutiny involvement.

#### **Cost and Delivery – Funding availability**

- 17 The report to Cabinet on 13 November 2019 is a commitment in principle to deliver the Western Relief Road subject to the outcome of the County Durham Plan process.
- 18 The Cabinet report states that the cost of the Western Relief Road is estimated to be in the region of £35 million. As part of the Statement of Common Ground on 4 October 2019, the site promoters and owners of the Sniperley Park Sustainable Urban Extension specify that at least £15 million has been agreed at this stage. It is likely that this will be received in staged payments over the lifetime of the build out of the site. Further details in respect of funding of the scheme cannot be determined at this early stage though the report also notes that further funding opportunities exist and will be explored.

#### **Conclusion**

- 19 The Call-in request has been considered by the Chair of the Corporate Overview and Scrutiny Management Board in accordance with the Overview and Scrutiny Procedure Rules within the Council's Constitution and been rejected.

#### **Background papers**

- Durham County Council Constitution
- Cabinet 13 November 2019 – County Durham Plan – Delivery of the Western Relief Road – Joint Report of Ian Thompson, Corporate Director of Regeneration and Local Services and John Hewitt, Corporate Director of Resources

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## **Appendix 1: Implications**

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### **Legal Implications**

This report has been produced in accordance with the Overview and Scrutiny Procedure Rules within the Council's Constitution as they relate to Call-in.

### **Finance**

Not Applicable.

### **Consultation**

Not Applicable

### **Equality and Diversity / Public Sector Equality Duty**

Not Applicable

### **Climate Change**

Not Applicable

### **Human Rights**

Not Applicable

### **Crime and Disorder**

Not Applicable

### **Staffing**

Not Applicable

### **Accommodation**

Not Applicable

### **Risk**

Not Applicable

### **Procurement**

Not Applicable