



## Report of the Chair of the Scrutiny Programme Committee

Scrutiny Programme Committee – 20 March 2023

### Pre-decision Scrutiny: National 20 Mph Default Speed Limit

<b>Purpose</b>	This report provides guidance on pre-decision scrutiny ahead of consideration of the Cabinet report on: a) National 20 Mph Default Speed Limit Including Consideration of the Exemptions Process
<b>Content</b>	This covering report explains the role of the Committee in undertaking pre-decision scrutiny.  The actual Cabinet report, which is to be considered by Cabinet on 23 March, is appended.
<b>Councillors are being asked to</b>	<ul style="list-style-type: none"> <li>• note the pre-decision scrutiny process and role of the Committee</li> <li>• consider the Cabinet report and proposals</li> <li>• agree any views on the proposed decision(s) that are to be raised with Cabinet</li> </ul>
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#### 1. Introduction

- 1.1 The Scrutiny Programme Committee will carry out pre-decision scrutiny or delegate to relevant Scrutiny Panels, in respect of proposed Cabinet reports, as requested.
- 1.2 A report concerning the 'National 20 Mph Default Speed Limit' is scheduled for decision by Cabinet on 23 March. This report advises on the proposal to make the national default speed limit on restricted roads 20mph and detail those roads which will be exempt and remain at 30mph. It sets out the consultation process to be followed and seeks confirmation of the approach taken.

- 1.3 The report of the Cabinet Member for Environment & Infrastructure on this matter is **attached** for pre-decision scrutiny, and also published within the 23 March Cabinet agenda here:  
<https://democracy.swansea.gov.uk/ieListDocuments.aspx?CId=124&MId=10885&Ver=4&LLL=0>

The report asks Cabinet to:

- 1) Note the mandatory Welsh Government requirement to implement a default 20mph in Swansea;
- 2) Endorse the approach detailed in the report in respect of the implementation of the 20mph default speed limit in Swansea; and
- 3) Agree to delegate authority to the Cabinet Member for Environment and Infrastructure to approve the exceptions agreed with individual ward members leading to the formal public advertisement of the appropriate Traffic Regulation Orders.

## 2. Role of the Committee

2.1 The purpose of pre-decision scrutiny:

- It entitles scrutiny to discuss proposed Cabinet reports, where a clear recommendation(s) exists, before decisions are taken by the Executive.
- Acting as a 'critical friend', it enables scrutiny to ask questions about a report to develop understanding and inform and influence decision-making, for example asking about:
  - the rationale for the report
  - robustness of the proposed decision and decision-making process
  - potential impact and implications (including financial, social, economic and environmental impact) and risks
  - how different options have been considered
  - the extent of consultation undertaken
  - implementation and measures of success etc.
- It enables scrutiny to provide a perspective and report its views and any issues to Cabinet. The Chair, on behalf of the Committee, can attend the Cabinet meeting to share the views of scrutiny on the report prior to Cabinet decision. This may include giving support, providing other suggestions on the way forward, or flagging up any concerns.
- The views of Scrutiny are required to be formally considered by Cabinet before it makes the decision and feedback should be given including explanation for any rejection of views expressed.

2.2 Lead Cabinet Member will attend the meeting to present the report and respond to questions, along with relevant officer(s) involved in the development of the report who can assist the Committee and provide appropriate advice.

2.3 The Committee (through the Chair) will write to the Cabinet Member with its views following pre-decision scrutiny. The Chair will have the opportunity to attend the Cabinet meeting on 23 March to verbally feedback the Committee's views, conclusions and recommendations about the report, based on the contents of the letter.

### **3. Cabinet Response**

3.1 Cabinet must formally consider Scrutiny views at its meeting. It may decide that any issues raised by Scrutiny can be dealt with at the meeting and decision taken. It may decide that more time is needed to consider the views of Scrutiny and defer decision to the next (or a special) meeting of Cabinet.

3.2 The relevant Cabinet Member is expected to write back to the Committee with feedback from Cabinet and should include explanation of any rejection of Scrutiny views.

### **4. Legal Implications**

4.1 In accordance with the Council's Constitution "pre-decision scrutiny gives scrutiny the opportunity to influence Cabinet decision making as a critical friend". "The views of the Scrutiny Committee are formally presented (either in a written report or verbally by the Scrutiny Chair) to the Cabinet meeting for the Cabinet to consider and inform its decision making".

### **5. Financial Implications**

5.1 There are no specific financial implications raised by this report. Financial implications of the actual cabinet report(s) are contained within those reports.

**Background Papers:** None

#### **Appendices:**

Appendix 1: Cabinet Report – National 20 Mph Default Speed Limit Including Consideration of the Exemptions Process