

REPORT TO:	SCRUTINY AND OVERVIEW COMMITTEE 7 March 2016
AGENDA ITEM:	5
SUBJECT:	CALL-IN: NORTH CROYDON AREA-WIDE 20MPH SPEED LIMIT (STATUTORY CONSULTATION - REPORT ON OBJECTIONS)
LEAD OFFICER:	Gabriel MacGregor, Acting Director of Democratic & Legal Services
CABINET MEMBER:	Councillor Kathy Bee, Cabinet Member for Transport and Environment

ORIGIN OF ITEM:	This item has been triggered by the call-in of the decision by the Cabinet Member for Transport and Environment on 18 February 2016 on North Croydon Area-Wide 20mph Speed Limit (Statutory Consultation - Report on Objections) by 14 members of the Council.
BRIEF FOR THE COMMITTEE:	To consider and respond to the Call-In in accordance with the procedure set out in the Council's constitution (set out in paragraph 2.3 below).

1. Executive Summary

The decisions taken on North Croydon Area-Wide 20mph Speed Limit (Statutory Consultation - Report on Objections) by the Cabinet Member for Transport and Environment on 18 February 2016 following the Traffic Management Advisory Committee (TMAC) meeting on 9 February 2016, have been called-in by 14 members of the Council.

Attached is the original report to TMAC (as Appendix A) and this report details the decisions of the Cabinet Member, the reasons given for the call-in and the relevant procedures for call-ins in the Council's constitution.

As referred to in the report to TMAC, the Streets and Environment Scrutiny Sub-Committee considered a pre-decision scrutiny item at its meeting on 16 September 2014. An excerpt of the minutes from this meeting relating to the pre-decision item and the Topic Report produced by the Sub-Committee are also attached to this report as Appendix C.

A further report was considered at the council's Cabinet meeting in March 2015 outlining how the project would be taken forward. The report also provided details on the first area (North-Croydon) from which officers would seek 'opinion' to gauge the level of support amongst its residents and businesses.

2. Call-In – North Croydon Area-Wide 20mph Speed Limit (Statutory Consultation - Report on Objections)

2.1 Report to Traffic Management Cabinet Advisory Committee (TMAC)

On 9 February 2016, TMAC considered a report (in Part A) by Councillor Kathy Bee, Cabinet Member for Transport and Environment and Jo Negrini, Executive Director Place on North Croydon Area-Wide 20mph Speed Limit (Statutory Consultation - Report on Objections) at its meeting on 9 February 2016. The report is attached as Appendix 1 of this agenda.

The Cabinet Member for Transport and Environment, having given consideration to the report, agreed the recommendations and the decision is recorded in the Executive decision Notices. The part A decision notice stated

That the Traffic Management Advisory Committee recommend to the Cabinet Member for Transport and Environment that they:

- 1.1 Consider the objections received in response to the giving of public notice and the officer comments on these at Appendix A and agree, that the Highway Improvements Manager, Streets Division be authorised to make the necessary Road Traffic Management Orders under the Road Traffic Regulation Act 1984 (as amended) so as to implement the maximum 20mph speed limit for North Croydon area as identified on Plan HWY-MPH-1269-001 (TMO) on or after 18th February 2016.*

2.2 Call-In

The call in proforma is attached at Appendix B. Cabinet's decision was called in on 25 October 2015 by **14 Members of the Council**, namely, Councillors: Jeet Bains, Jan Buttinger, Mario Creatura, Jason Cummings, Lynne Hale, Yvette Hopley, Dudley Mead, Margaret Mead, Michael Neal, Helen Pollard, Tim Pollard, Donald Speakman, James Thompson and Chris Wright.

The reasons stated for the Call-In were that:

The decision was inconsistent with the Budget

The alternative decision proposed by the signatories is that:

To stop the implementation of the proposed 20mph zone, and look at restrictions for individual roads where there is a specific need.

The signatories have suggested that the following information is required to assist the Scrutiny and Overview Committee consider the referral:

See budget and the following:

Whilst the conservative administration supports the implementation of 20mph roads where residents have highlighted problems of incidents/ accidents and high speeds we are unable to support a blanket zone in the North of the borough.

We do not believe that the £300,000 spent would provide value for money in an area where the average speed was recorded at 24mph and the support for the scheme was somewhat underwhelming at around 3% of residents affected. This resource should be directed to support schemes where residents have highlighted concerns and vehicles are speeding.

This does not provide value for money and is therefore inconsistent with the budget.

2.3 Pre-decision scrutiny

The Streets and Environment Scrutiny Sub-Committee considered a pre-decision scrutiny item at its meeting on 16 September 2014. An excerpt of the minutes from this meeting relating to the pre-decision item and the Topic Report produced by the Sub-Committee are also attached to this report as Appendix C.

At its meeting on 16 September 2014, the Streets and Environment Scrutiny Sub-Committee **RESOLVED** to support the manifesto commitment to implement 20mph speed limits across the Borough and to recommend that in implementing these proposals consideration is given to:

- Introducing 20mph speed limits on residential roads managed by Croydon Council using signage and road markings only and that additional speed humps and/ or speed cushions are not included as part of the scheme
- Introducing 20mph limits across the Borough in an area-by-area (not road-by-road) programme as quickly as funding allows following statutory consultation and in accordance with Department of Transport guidance
- Re-designing areas 4 and 5 on the map provided at the meeting as members felt that these were too large for consultation purposes and did not fully recognise local variances and road typographies

- Excluding main classified routes from area-wide 20mph speed limit schemes whilst retaining the option of adding such roads to a scheme in the future
- Tying a Vision Zero approach into a 20mph speed limit strategy if possible
- Establishing a working party comprising stakeholders and interested parties to help develop a consultation strategy to guide the delivery of the consultation and ensure that stakeholders, interested parties and residents can contribute their views about area-wide 20mph speed limits
- Developing a consultation process that does not rely exclusively on online forms of communication
- Accelerating the process so that the introduction of 20mph speed limits across the Borough is faster than one area per year over 5 years if funding can be leveraged from other organisations (such as Public Health) or the council's capital budget
- Educating and enforcing (through Community Speedwatch operations and the use of Driver Awareness Training with the police) where excessive speeding is identified following implementation of 20mph speed limits
- Monitoring the success (or otherwise) of the scheme by averaging the casualty rates three years before implementation and comparing this data to an average of three years post implementation in order to achieve robust data.

2.4 Call-In Procedures

The Council's constitution states:

- 11.09 At the meeting, the referral will be considered by the Committee which shall determine how much time it will give to the call-in and how the item will be dealt with including whether or not it wishes to review the decision. If having considered the decision there are still concerns about the decision then the Committee may refer it back to the Cabinet for reconsideration, setting out in writing the nature of the concerns. The Cabinet shall then reconsider the decision, amending the decision or not, before making a final decision.
- 11.10 The Scrutiny and Overview Committee may refer the decision to the Council if it considers that the decision taken by the Leader or Cabinet is outside the Budget and Policy Framework of the Council. The Council may decide to take no further action in which case the decision may be implemented. If the Council objects to Cabinet's decision it can nullify the decision if it is outside the Policy Framework and/or inconsistent with the Budget.
- 11.11 If the Scrutiny and Overview Committee decides that no further action is necessary then the decision may be implemented.
- 11.12 If the Council determines that the decision was within the Policy Framework

and consistent with the Budget, it will refer any decision to which it objects, together with its views on the decision, to the Cabinet. The Cabinet shall choose whether to either, amend, withdraw or implement the original decision within 10 working days, or at the next meeting of the Cabinet after the referral from the Council.

11.13 The responses of the decision-taker and the Council shall be notified to all Members of the Scrutiny and Overview Committee once the Cabinet or Council has considered the matter and made a determination.

11.14 If either the Council or the Scrutiny and Overview Committee fails to meet in accordance with the Council calendar or in accordance with paragraph 11.08 above, then the decision may be implemented on the next working day after the meeting was scheduled or arranged to take place.

Appendices

- A Part A Report to TMAC on 9 February 2016
- B Call in of decision by the Cabinet Member for Transport and Environment of 22 February 2016 relating to the North Croydon Area-Wide 20mph Speed Limit (Statutory Consultation - Report on Objections)
- C Excerpt from the approved minutes of the Streets and Environment Scrutiny Sub-Committee meeting held on 16 September 2014 and the Topic Report prepared by the Sub-Committee and referred to in the minutes.

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BACKGROUND PAPERS TO TMAC REPORT FOR ITS MEETING ON 9 FEBRUARY 2016

- 1) Delegated officer report titled '*North-Croydon Area-Wide 20mph Speed Limit (Opinion survey Results)*' and Executive Directors decision dated 6 November 2015. The report can be viewed on the Council website.