

LONDON BOROUGH OF CROYDON

To: All Members of Council
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PUBLIC NOTICE OF KEY DECISIONS MADE BY CABINET MEMBER FOR SUSTAINABLE CROYDON ON 13 DECEMBER 2021

This statement is produced in accordance with Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

In accordance with the Scrutiny and Overview Procedure Rules, the following decisions may be implemented from **1300 hours on 21 December 2021** unless referred to the Scrutiny and Overview Committee (ie after 13.00 hours on the 6th working day following the day on which the decision was taken). The call-in procedure is appended to this notice.

The following apply to the decision below:

Reasons for these decisions: As set out in the report and the detail set out below:

The Cabinet Member for Sustainable Croydon agrees that the recommended Experimental CHNs address many of the concerns and criticisms levelled at the Temporary LTNs. The Experimental CHNs will give the Council the opportunity to monitor and evaluate the CHNs with a view to a longer term proposal in due course. In particular, the proposal takes into account the need to continue engagement with the public on this issue.

The ETROs particularly take into account the Equality Analysis and maintain exemptions required for:

- *Buses;*
- *Licensed taxis*
- *Dial-a-Ride vehicles*
- *Vehicles of school staff;*
- *Vehicles used by care givers of sick and/or disabled residents;*
- *Vehicles registered by Blue Badge holders;*

without unduly compromising air quality and climate change policy objectives.

On consideration of the concerns identified at

TMAC and the strength of opinion expressed in relation to the Temporary LTNs, taking a phased approach to implementation appears an appropriate step. This is because it will enable the Council to implement each of the schemes whilst ensuring officer capacity to address concerns if and when they arise, whilst meeting our climate change objectives.

Other options considered and rejected:

The options considered and rejected are:

- 1) Not implementing one or more CHNs
- 2) Implementing one or more permanent CHNs

And I adopt the reasoning as set out in the November report in this respect.

Details of conflicts of interest declared by the decision maker: None.

Note of dispensation granted by the Head of Paid Service in relation to a declared conflict of interest by that decision maker: None.

The Leader of the Council has delegated to the decision maker the power to make the Key Decisions noted out below:

Decision Title: SOUTH NORWOOD CROYDON HEALTHY NEIGHBOURHOODS - HOLMESDALE ROAD AREA

Key Decision No: 5721SC

Details of decision:

Having carefully read and considered the Part A report and the requirements of the Council's public sector equality duty in relation to the issues detailed in the body of the reports, the Cabinet Member for Sustainable Croydon

RESOLVED:

1. Subject to Spending Control Panel approval, to replace Temporary Low Traffic Neighbourhoods (LTNs) with Experimental Croydon Healthy Neighbourhoods (CHNs) at:
 - a. The 'Dalmally Road area'
 - b. The 'Elmers Road area'
 - c. The 'Parsons Mead area'
 - d. The 'Sutherland Road area'
 - e. The 'Holmesdale Road area'
 - f. The 'Albert Road area'
 - g. The 'Kemerton Road area'

By the making of Experimental Traffic Regulation Orders (ETROs) to operate for up to 18 months as detailed at Paragraph 2.7 and Appendix 4 of the Report to the Traffic Management Advisory Committee held on 11 November 2021.

2. To delegate to the Director of Sustainable Communities the authority to vary the provisions of the ETROs including the exemptions to the restrictions and the lessening of restrictions as deemed appropriate as part of the experiment.
3. Ensure that a recommendation on the future for the ETROs be brought to the Traffic Management Advisory Committee at the appropriate time if considered desirable prior to the expiry of the ETROs and in any event as soon as is practicable after 12 months of the experimental orders being in place.
4. To implement in a phased programme to be developed by officers to ensure that the Council retains the capacity to communicate with residents and respond to their concerns in relation to each area and to delegate to the Director of Sustainable Communities (having consulted with the Cabinet Member for Sustainable Croydon) the authority to determine a suitable phasing plan for implementation.
5. That a review be undertaken by or on behalf of the Director of Sustainable Communities of the visibility for all highway users of the signage for Croydon Healthy Neighbourhoods Schemes.
6. That a programme of neighbourhood streetscene and public realm improvements is developed, including engagement with local people, for Croydon Healthy Neighbourhood areas to enhance those localities and encourage greater levels of walking and cycling.

Signed: Interim Monitoring Officer

Notice Date: 14 December 2021

Scrutiny Referral/Call-in Procedure

1. The decisions may be implemented **1300 hours on 21 December 2021** (the 6th working day following the day on which the decision was taken) unless referred to the Scrutiny and Overview Committee.
2. The Council Solicitor shall refer the matter to the Scrutiny and Overview Committee if so requested by:-
 - i) the Chair and Vice Chair of the Scrutiny and Overview Committee and 1 member of that Committee; or for education matters the Chair, Vice Chair and 1 member of that Committee; or
 - ii) 20% of Council Members (14)
3. The referral shall be made on the approved pro-forma (*attached*) which should be submitted electronically or on paper to Victoria Lower by the deadline stated in this notice. Verification of signatures may be by individual e-mail, fax or by post. A decision may only be subject to the referral process once.
4. The Call-In referral shall be completed giving:
 - i) The grounds for the referral
 - ii) The outcome desired
 - iii) Information required to assist the Scrutiny and Overview Committee to consider the referral
 - iv) The date and the signatures of the Councillors requesting the Call-In
5. The decision taker and the relevant Chief Officer(s) shall be notified of the referral who shall suspend implementation of the decision. The Chair of the Scrutiny & Overview Committee shall also be notified.
6. The referral shall be considered at the next scheduled meeting of the Scrutiny & Overview Committee unless, in view of the Council Solicitor, this would cause undue delay. In such cases the Council Solicitor will consult with the decision taker and the Chair of Scrutiny and Overview to agree a date for an additional meeting. The Scrutiny & Overview Committee may only decide to consider a maximum of 3 referrals at any one meeting.
7. At the Scrutiny & Overview Committee meeting the referral will be considered by the Committee which shall determine how much time the Committee 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 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.
8. The Scrutiny and Overview Committee may refer the decision to the Council if it considers that the decision is outside of the budget and policy framework of the Council. In such circumstances, the provisions of Rule 7 of the Budget & Policy Framework Procedure Rules (Part 4C of the Constitution) apply. 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.

9. If the Scrutiny and Overview Committee decides that no further action is necessary then the decision may be implemented.
10. If the Council determines that the decision was within the policy framework and consistent with the budget, the Council 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 of the referral from the Council.
11. 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.
12. If either the Council or the Scrutiny and Overview Committee fails to meet in accordance with the Council calendar or in accordance with paragraph 6 above, then the decision may be implemented on the next working day after the meeting was scheduled or arranged to take place.
13. **URGENCY:** The referral procedure shall not apply in respect of urgent decisions. A decision will be urgent if any delay likely to be caused by the referral process would seriously prejudice the Council's or the public's interests. The record of the decision and the notice by which it is made public shall state if the decision is urgent and therefore not subject to the referral process. The Chair of the Scrutiny and Overview Committee must agree that the decision proposed cannot be reasonably deferred and that it is urgent. In the absence of the Chair, the Deputy Chair's consent shall be required. In the absence of both the Chair and Deputy Chair, the Mayor's consent shall be required. Any such urgent decisions must be reported at least annually in a report to Council from the Leader including the reasons for urgency.

Signed: Interim Monitoring Officer

Notice Date: 14 December 2021

Contact Officers: victoria.lower@croydon.gov.uk and Anoushka.clayton-walsh@croydon.gov.uk

PROFORMA

**REFERRAL OF A KEY DECISION TO THE
SCRUTINY AND OVERVIEW COMMITTEE**

For the attention of: Victoria Lower and Anoushka Clayton-Walshe, Democratic Services & Scrutiny e-mail to Victoria.lower@croydon.gov.uk and Anoushka.clayton-walshe@croydon.gov.uk

Meeting:
Meeting Date:
Agenda Item No:

Reasons for referral:

- i) The decision is outside of the Policy Framework
- ii) The decision is inconsistent with the budget
- iii) The decision is inconsistent with another Council Policy
- iv) Other: Please specify:

The outcome desired:

Information required to assist the Scrutiny and Overview Committee to consider the referral:

Signed:

Date:

Member of _____ Committee