



CALL-IN SUB COMMITTEE

TUESDAY 11 JANUARY 2005

SUPPLEMENTAL SUB-COMMITTEE AGENDA (SCRUTINY)

AGENDA - PART I

7. **Call-in of Environment and Transport Portfolio Holder Decision: Petts Hill Bridge - Scheme Design and Consultation Results:**

- Enc. (d) Statement by the Environment and Transport Portfolio Holder:
(Pages 1 - 4)
The Environment and Transport Portfolio Holder has advised that he will be unable to attend the meeting of the Sub-Committee and has therefore provided the attached statement.

8. **Call-in of Environment and Transport Portfolio Holder Decision: Stanmore CPZ - Consultation Results:**

- Enc. (d) Statement by the Environment and Transport Portfolio Holder:
(Pages 5 - 6)
The Environment and Transport Portfolio Holder has advised that he will be unable to attend the meeting of the Sub-Committee and has therefore provided the attached statement.

AGENDA - PART II - NIL

Note: In accordance with the Local Government (Access to Information) Act 1985, the Sub-Committee is requested to consider whether the above agenda items may be admitted late to the agenda, by virtue of special circumstances and urgency detailed below:-

<u>Agenda item</u>	<u>Special circumstances/Grounds for Urgency</u>
7(d). Statement by the Environment and Transport Portfolio Holder) In accordance with Overview and Scrutiny Procedure Rule 22.6, a meeting of the Call-in Sub-Committee must be held within seven clear working days of the receipt of a

8(d). Statement by the
Environment and
Transport Portfolio
Holder

) request for call-in. This meeting was
) therefore arranged at short notice and it
) was not possible to publish the agenda five
) clear working days prior to the meeting. It is
) proposed that these items now be admitted
to the agenda to allow the Sub-Committee
to consider all information relevant to the
decisions referred to it under the call-in
procedure.

Scrutiny: Call-In Sub-committee
11th January 2005

Statement by Portfolio Holder for Environment and Transport

Re: PHD 068/04 Petts Hill Bridge – Scheme Design and Consultation Results

1. This is a joint scheme with Ealing for which Harrow are taking the lead. Proceeding with the current 3-lane option was agreed by Cabinet in June 2003 and has subsequently been agreed by Transport for London and Ealing, although in the latter case their recent decision on agreeing the design, like Harrow's, has been called-in.
2. It was identified at an early stage that an alternative 4-lane option, involving a new bridge, had advantages. However, it was also clear that it was significantly more expensive and that TfL were not prepared to fund the 4-lane new bridge option.
3. The current 3-lane scheme has been designed such that it can be easily upgraded to the 4-lane new bridge option at a future date, with the minimum of abortive expense. The fact that TfL have agreed to this design, which is more expensive than a 'basic' 3-lane option, highlights that they may be willing to fund the upgrade to the 4-lane new bridge option at a later date.

Grounds for Call-in

Inadequate consultation

4. The purpose of the consultation was to inform the local community of the proposals and give them an opportunity to comment on the scheme and highlight any issues they wish to be taken into account. This was achieved. A number of issues were raised in the consultation feedback, including that of the security of the tunnels. This was reported to the Panel along with additional background information to inform the Panel's decision. This is covered in para 2.3 and Appendix C of the report to the Panel.
5. In summary, the consultation succeeded in identifying this issue, which was subsequently considered by the Panel and myself.

Lack of evidence

22.5(b) – Minutes for the TARSAP meeting on 1st December 2004 when this matter was last raised (following a request from the Conservative Nominated Member) have not yet been made public. Indeed Nominated Members have not yet seen draft minutes (as was requested at that meeting following a

serious omission from minutes of the September 2004 meeting.) However, the Portfolio Holder's decision purports to be based on the Panel's minutes!

6. The minutes of the Traffic and Road Safety Advisory Panel meeting on 1st December 2004 have been available to the public since 16th December, when they were published on the internet. The minutes were also circulated to the Borough libraries on the same date.
7. The responsibility for the accuracy of the draft minutes lies with the Director of Legal Services. Statutory provision is that a Committee will receive the minutes of its previous meeting for confirmation (and/or amendment) at its next meeting.
8. The minutes were part of the documentation sent to me to inform my decision. All of that documentation, including the Traffic and Road Safety Advisory Panel minutes, was published to the internet prior to the decision being taken.

At the 1st December meeting TARSAP Members were glibly told that neither TfL nor Network Rail were willing to make further funds available for bridge replacement that would have enabled four traffic lanes and normal pedestrian facilities to be provided. This was the first time for two years the Panel had been formally told of the funding situation, although some Members had been informed privately during the intervening period by the Acting Director of Environmental Services that modifications were being made to the walls of the pedestrian tunnels to enable eventual bridge replacement to take place.

9. The scheme that was being progressed was the one that was agreed by Cabinet in June 2003. The decision to progress this scheme was made in the knowledge that funding was not available for the 4-lane new bridge option. Nothing has changed. The funding and scheme design review did not take place until the autumn and was covered in the 1st December Panel report (see para 10 below for further details of the review).

The Panel was not provided with details of what negotiations (if any) had taken place between LBs of Harrow/Ealing and TfL/NetworkRail/Mayor of London, although it has subsequently come to light that a meeting of sorts took place sometime during November 2004 following a visit to the site by Ken Livingstone.

10. The Mayor of London initiated a review of the scheme, including reconsideration of funding the 4-lane new bridge option, following his visit to the site on 23rd September to meet an objector to the scheme from Ealing. As part of the review this Council provided information, including updated business cases for both options. It was also made clear that of the two options this Council would prefer to build the 4-lane new bridge option.
11. At the time of the Panel meeting on 1st December, the outcome of the review was not formally known. An update of the position was given in

para 2.2 of the Panel report. It was subsequently confirmed that the Mayor once again rejected the 4-lane new bridge option in favour of the previously agreed 3-lane option. I assume that the meeting referred to is TfL's internal meeting of their Risk, Investment and Strategy Committee which met on 5 November to consider the scheme and funding review referred to above.

The Conservative Nominated Member wrote to the Portfolio Holder on 15th December 2004 urging that an "eleventh hour" attempt be made at Member level to persuade the funding authorities to enable bridge replacement to take place (instead of the adaptations at present intended) but has yet to receive a response.

12. A response has recently been sent advising that as a full review has just been completed by the Mayor of London it is not appropriate to seek a further review.
13. In summary, the consultation did identify the pedestrian security concern and this was considered along with all other information from the consultation feedback. A detailed review of the scheme and its funding has very recently been completed by the Mayor of London. Whilst discussions with Network Rail can continue, it must be recognised that they have no short term plans to invest in bridge replacement here and protracted discussions would prejudice the current approved programme and several million pounds of TfL funding.

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Statement by Portfolio Holder for Environment and Transport

Re: PHD 069/04 - Stanmore Controlled Parking Zone Review

Grounds for call-in

22.5(a)

1. *“Paragraph 2.3.11.11 on page 13 of the Officers' Report to TARSAP on 1 st December 2004 reached the conclusion that an extension of the existing yellow line only CPZ north of Whitchurch Lane should be in the form of a Residents' Parking Zone and that this stemmed from approaches made by CAPRA. CAPRA strongly deny this and claim that the preferred option was a simple extension of the yellow line only CPZ.”*

Canons Park Residents' Association (CAPRA) have been requesting the review of the existing yellow line waiting restrictions scheme for some time now. Their request was considered in March 2004 by TARSAP/Environment and Transport Portfolio Holder as part of the annual review of the Controlled Parking Zones/Residents' Parking Schemes Programme. No priority was given to the review and the area remained on the unprogrammed list. As a result of further representations by CAPRA, the Chair of the Traffic and Road Safety Advisory Panel in March 2004 suggested to CAPRA a possible way forward. This involved CAPRA carrying out a public consultation in their proposed area of extension to assist the Council in formulating a scheme. This offer was not taken up by CAPRA. The review of the Stanmore CPZ provided the opportunity to carry out a consultation to gauge the level of support for a scheme in the area.

Two stakeholder meetings were held at the outset to determine the type or extent of the areas that needed to be included in the consultation. CAPRA were invited to both of these meetings. They attended the first meeting only, but did not raise any issues.

The officer report indicated that “the area between Cloysters Wood and Dalkieth Grove between the railway line and Marsh Lane (Canons Park Station area) was included in the consultation as a result of requests from Canons Park Residents' Association”. There is no suggestion in the report that the scheme that was offered in the consultation document was CAPRA's preferred option. Yellow line waiting restrictions schemes which are preferred by CAPRA discriminate against those residents who rely on on-street spaces for their parking needs. It is worth noting that when the existing yellow scheme south of Cloyster Wood was introduced in 2002 a number of complaints were received about the lack of residents parking facilities during the restricted hour.

2. *“Since Members of the Panel were likely to have been influenced in reaching their decision to make the extension an RPZ by the way paragraph 2.3.11.11 had been worded, an opportunity should be provided for this to be reconsidered.”*

This was debated at the Panel meeting and an officer explained that whilst CAPRA are requesting a yellow line waiting restrictions scheme, this is not reflected in the message conveyed by the residents. The residents have voted for a residents' parking scheme the details of which were fully explained in the consultation. In the discussion which followed amongst Panel members and back benching ward members present, the Panel came to the conclusion that a yellow line option would be an inferior scheme. Consequently, they

recommended the residents' parking scheme with a proviso that the residents be written to explaining the advantages of the proposed residents' parking scheme.

3. *"In addition, statistical data resulting from the Council's consultation exercise was relatively inconclusive. At the very least residents in the roads concerned ought to be reconsulted and provided with clear details of the options under consideration."*

The residents were consulted on a Controlled Parking Zone (CPZ) incorporating a residents' parking scheme. This was clearly explained in the consultation document. The response from Howberry Close and Howberry Road (between Cloyster Wood and Whychwood Avenue) was conclusive (13 for and 4 against). There were nine responses from Howberry Close, eight for and one against. The responses from this part of Howberry Road were, five in favour and three opposed. None of the respondents from Howberry Close in favour had expressed a preference for a yellow line scheme. Two of those in favour from Howberry Road had indicated a preference for a yellow line waiting restrictions scheme. The reason given in both was the that they would have to pay for a permit. This appears to be based on a misunderstanding. Essentially, the only difference between a yellow lines scheme and a residents' parking scheme is the provision of on-street parking spaces to accommodate those residents and their visitors who do not have sufficient off-street spaces for their needs. Only those who need to park on-street during the hour of operation of the scheme would need to purchase a permit. Those who do not need to park on-street during the restricted hour would not need to purchase a permit. Permits would not be required for parking outside the proposed hour of operation of the scheme (2 pm to 3 pm, Monday to Friday). Therefore, it is difficult to understand CAPRA's stance given that the proposed scheme offers the same restrictions as a yellow line waiting restrictions scheme but with the added benefit of accommodating the residents by allowing them to buy a permit to park on-street during the restricted hour if they want to.

In summary, CAPRA was consulted by way of the key stakeholder meetings and the residents were consulted on a residents' parking scheme. The merits of the proposed scheme as opposed to a yellow line waiting restrictions scheme were fully debated at the Panel meeting and there is insufficient justification for delaying the scheme for further consultation.

22.5(b) – Minutes of TARSAP meeting which form basis of decision not yet published nor draft of such minutes seen by Conservative Nominated Member.

The minutes of the Traffic and Road Safety Advisory Panel meeting on 1st December 2004 have been available to the public since 16th December, when they were published on the internet, and the minutes were also circulated to the Borough libraries on the same date. The responsibility for the accuracy of the draft minutes lies with the Director of Legal Services. Statutory provision is that a Committee will receive the minutes of its previous meeting for confirmation (and/or amendment) at its next meeting.

The minutes were part of the documentation sent to the Environment and Transport Portfolio Holder to inform his decision. All of that documentation, including the Traffic and Road Safety Advisory Panel minutes, was published to the internet prior to the decision being taken.