

REPORT TO:	SCRUTINY AND OVERVIEW COMMITTEE 24 May 2017
AGENDA ITEM:	5
SUBJECT:	CALL IN: Croydon Area-Wide 20mph Speed Limits Areas 3, 4 & 5 Statutory consultation – Objections
LEAD OFFICER:	Stephen Rowan, Head of Democratic Services and Scrutiny
CABINET MEMBERS:	Councillor Stuart King, 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 9 May 2017 on the 20mph Speed Limit Areas by 17 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

- 1.1 The decision taken on 20mph Speed Limit Areas by the Cabinet Member for Transport and Environment on 9 May 2017 has been called-in by 17 members of the Council. The decision was made after it was considered at the Traffic Management Advisory Committee on 9 May 2017, which recommended to the Cabinet Member that the decision be made.
- 1.2 Attached at **Appendix A** is the decision report and associated appendices. Attached at **Appendix B** is the completed call in form that was received by the Monitoring Officer (signatures have been redacted).

2. Call-In – 20mph Speed Limit Areas

- 2.1 The decision taken by the Cabinet Member, that is the subject of this call-in, was as follows:

*The Cabinet Member for Transport and Environment **RESOLVED** to:*

- 1.1 *Consider the objections received in response to the statutory (formal) consultation and the officer comments in response to the objections within this report and agree, that the Highway Improvements Manager,*

Streets Division, be authorised to make the necessary Traffic Management Orders under the Road Traffic Regulation Act 1984 (as amended) so as to

- a) *Implement the maximum 20mph speed limit for North-West Croydon Area 3 as identified on plan HWY-MPH-0000-005.*
- b) *Implement the maximum 20mph speed limit for South-East Croydon Area 4 as identified on plan HWY-MPH-0000-006.*
- c) *Implement the maximum 20mph speed limit for South-West Croydon Area 5 as identified on plan HWY-MPH-0000-007.*

1.2 *Consider the representations received concerning other roads to be included or excluded from the 20mph speed limits in Areas 3, 4 & 5 and authorise the Highway Improvements Manager, Streets Division, to issue any notice required and make any necessary Traffic Management Orders under the Road Traffic Regulation Act 1984 (as amended) after determination of any objections received.*

1.3 *Officers to inform the objectors and those who responded in support of the decision*

2.2 The call-in pro-forma is attached at Appendix B. The decision form was received on Wednesday 10 May from Councillor Sara Bashford and was signed by the following Councillors: Simon Brew, Helen Pollard, Chris Wright, Sue Winborn, Michael Neal, Jason Perry, Luke Clancy, Margaret Bird, Sue Bennett, Dudley Mead, Margaret Mead, Donald Speakman, Tim Pollard, Mike Fisher, Richard Chatterjee, Jan Buttinger, Badsha Quadir.

The reasons stated for the Call-In were that:

“The process was not fair and equitable for those living in zones 3, 4 and 5, as their objections were not given the same consideration as those in zones 1 and 2. There has been no consideration of the implementation of the first two zones to see if there are real benefits, therefore value for money cannot be demonstrated.”

The outcomes desired from the Call-In were:

“Implementation delay so the results of the first two zones can be assessed and a decision made after about whether to proceed with zones 3, 4 and 5.”

There were no requests for additional information to assist the Scrutiny and Overview Committee when considering the referral.

2.3 **Call-In Procedures**

The Council’s Constitution, Part 4E Scrutiny & Overview Procedure Rule, states:

“11.08 The referral shall be considered at the next scheduled meeting of the

Scrutiny and Overview Committee unless, in the view of the Borough Solicitor, this would cause undue delay. In such cases the Borough Solicitor, will consult with the decision-taker and the Chair of Scrutiny and Overview to agree a date for an additional meeting. The Scrutiny and Overview Committee may only consider a maximum of three referrals at any one meeting.

- 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."*

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APPENDIX A: Decision Report 9 May 2017 with Annex 1, 2 and 3

APPENDIX B: Call in pro-forma

BACKGROUND DOCUMENTS: None