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Scrutiny & Overview Committee

Meeting held on Tuesday, 23 March 2021 at 6.30 pm in This meeting will be held remotely

MINUTES

Present: Councillor Sean Fitzsimons (Chair), Councillor Robert Ward (Vice-Chair), Leila Ben-Hassel, Jerry Fitzpatrick and Oni Ovir

Also Present: Councillors Muhammad Ali, Clive Fraser, Stephen Mann and Gareth Streeter

Apologies: Councillor Joy Prince

PART A

22/21 **Disclosure of Interests**

There were no disclosures of interest made at the meeting.

23/21 **Urgent Business (if any)**

There were no items of urgent business.

24/21 **Call-In: Crystal Palace and South Norwood Low Traffic Neighbourhood**

The Chair of the Scrutiny & Overview Committee, Councillor Sean Fitzsimons introduced the Call-In of the 'Crystal Palace and South Norwood Low Traffic Neighbourhood' key decision. It was highlighted that two call-in requests had been received for this decision and although the Council's Constitution only allowed one call-in per decision, it had been agreed that the spokesperson for each call-in would be allowed to address the Committee to highlight the reasons for making the request.

The Chair explained the process for considering a call-in, confirming that the Committee needed to agree whether to review the decision and if it was decided to proceed, to confirm how much time it wished to allocate for the discussion of the item. The Committee agreed that it would review the decision and allocated two hours and thirty minutes for its consideration.

The Chair went on to explain that there were three outcomes the Committee could reach as a result of its review. These were:-

1. That no further action was necessary and the decision could be implemented as originally intended.
2. To refer the decision back to the Cabinet for reconsideration, outlining the nature of the Committee's concerns
3. To refer the decision to Council, if the Committee considered that the decision taken was outside of the Budget and Policy Framework.

At the outset of the item the Chair gave Councillors Stephen Mann and Gareth Streeter, as the spokesperson for their respective call-ins the opportunity to outline their concerns about the original decision.

Councillor Mann advised that he felt that a few amendments were required to the scheme in order to bring the community along. The current proposal had split the community, which in some cases had led to unacceptable abuse. There were long term road traffic issues in the area that the scheme was attempting to address, but consideration needed to be given to issues such as deliveries in the low traffic neighbourhood (LTN), what was the right amount of traffic in the zone and how to improve cross border communication.

Councillor Streeter advised that grounds for the call-in he had submitted looked at the fundamentals of the scheme, as it was perceived that the Council had not gathered enough evidence or could ever gather enough evidence to justify the scheme. Without this evidence, there was a worry that the scheme was fiscally motivated. Although, any money raised would be ring fenced, it meant that any money spent in a restricted way allowed other general funds to be spent elsewhere. In the next few months businesses would be reopening and there was a concern that the new scheme would deter people from visiting the shops at Crystal Palace.

Following the introduction to the call-in, the Council's Head of Highways and Parking, Mark Averill, delivered a presentation to the Committee setting out the reasons why the scheme was being implemented. A copy of the presentation can be found on the Council's website on the following link:-

<https://democracy.croydon.gov.uk/ieListDocuments.aspx?CIId=166&MIId=2599&Ver=4>

The Cabinet Member for Sustainable Croydon, Councillor Muhammad Ali, was also provided the opportunity to outline the reasons for implementing the LTN in South Norwood and Crystal Palace. The Committee was informed that it was important to recognise that Croydon had a road safety and air quality problem. A report produced on behalf of the Mayor of London had revealed that Croydon had the highest potential of all London boroughs to switch from car journeys to either walking or cycling. Research had found that 11 deaths per 100,000 in Croydon could be linked to the local air quality, with the borough having the highest rate of hospitalisation for children between 0-9 with asthma. Monitoring of air quality had found that the emissions on minor roads were almost equal to that of a-roads in the borough. There had also been clear recommendations from the Council's Climate Change Commission on the need to reduce car usage.

The scheme in Crystal Palace and South Norwood was the first phase of a wider programme of work to increase cycling and walking. The Council would also continue lobbying Government to invest in infrastructure across the borough, including extending the tram network and providing funding for a greener bus network. The Cabinet Member was keen to engage with the local community on the scheme during its experimental stage to ensure potential benefits could be maximised.

Following the introduction from the Cabinet Member, the Chair welcomed a number of external speakers, who had been invited to the meeting due to their interest in the scheme, with each speaker given the opportunity to present their perspective on the proposals. The first speaker was the Executive Member for Environment and Community Services at the London Borough of Bromley, Councillor William Huntington-Thresher. Councillor Huntington-Thresher advised the Committee that the previous temporary LTN had resulted in a negative impact on the north west of the borough of Bromley due to the increase in traffic it created. It was the ethos of Bromley to look to improve facilities for active travel, rather than working against other forms of travel and they looked to improve the flow on roads rather than limit the flow. The scheme in its current format was unlikely to be supported by Bromley residents.

The next speaker was the Assistant Director of Traffic & Parking from the London Borough of Bromley, Angus Culverwell, who advised the Committee that the impact of the temporary LTN on Bromley had been negative, judging from the amount of correspondence that had been received. There had also been an increase in congestion on the residential streets and the a-road to the north of the LTN. Bromley had its own active travel scheme and although the reasons for the LTN were understood, it was felt there were a number of issues that needed to be addressed. In light of the feedback from residents, it was the view of Bromley Council that the temporary scheme had not been as successful as Croydon would have liked. Going forward, Bromley Council would be happy to engage with Croydon about potential options and alternatives to the LTN.

Councillor Angela Wilkins, a Bromley Councillor whose ward bordered the LTN zone, advised that it was accepted that doing nothing, in the context of the climate emergency, was not an option, but at the same time doing the wrong thing was also unacceptable. Given the proximity of the scheme to Bromley, it should be viewed as a cross borough issue and as such needed to be developed on a cross-boundary basis. This should include Councillors working together to set strategic objectives followed by officers designing the technical scheme. At present, it was not clear there was a scheme available that would be acceptable to both authorities, but one could only be developed by both boroughs designing it together.

Miranda Bradley, from the Shape Better Streets campaign, addressed the Committee to highlight the benefits brought to the local neighbourhood from the original temporary LTN scheme in 2020. The Committee was advised that the introduction of the previous LTN had encouraged many residents to change their lifestyle and become more open to cycling and walking. The experimental scheme proposed was a good compromise and worked for local residents, while allowing access to roads within the LTN for those that needed it, such as carers and emergency service.

Eliska Finlay, from the Open Our Roads campaign, highlighted to the Committee that although the scheme aimed to increase active travel and reduce air pollution, as there was no baseline data available, it would not be possible to judge whether it had been successful. It was possible that the

scheme would increase the pollution on the roads around the boundary of the LTN and there was a risk that it could give the appearance of creating a private estate. As a result of the temporary LTN, traffic had increased on the Bromley roads closest to the boundary by 186%. It was not possible to determine the impact on the roads in Croydon as there was no baseline data. Given the lack of data, it was felt the experimental LTN could not quantifiably demonstrate its impact and as such the Committee was asked to refer the decision back to the Cabinet for reconsideration.

The final external speaker to address the Committee was Stephen Tabbener, who was also representing the Open Our Roads campaign. Mr Tabbener advised that as a Bromley resident on one of the roads neighbouring the proposed scheme and the owner of a business on the Croydon side of the scheme, it was his view that the scheme was not appropriate. The proposal risked creating a cul-de-sac with most of the access points on Bromley streets. As a local trader, there was also serious concern about how the scheme would impact upon the local economy, with it questioned whether there had been any impact assessment undertaken. If Croydon was committed to proper engagement with the local community in order to deliver a scheme that was agreeable for all, then the decision should be referred back to the Cabinet for reconsideration.

Following the representations made to the meeting, the Cabinet Member was given the opportunity to respond, confirming that the Administration was open to engaging with anyone affected by the scheme whether in Croydon or Bromley. It was reiterated that the scheme was originally a temporary one and was now moving to an experimental scheme. This would allow the Council to monitor its impact and identify possible improvements before making a final decision over whether to keep or remove the LTN. Importantly, it would also allow the Council to establish data specifically for Croydon. It was highlighted that the Council had used its learning from prior consultations to inform the process going forward, with a dedicated communications plan being created.

After the various submissions had concluded, the Committee was given the opportunity to ask questions on the LTN. The first question related to the boundary for the LTN and how it was decided upon. It was advised that the boundaries of an LTN would normally be a-roads. In this instance, the boundary also included the borough boundary with Bromley. If the LTN was to include the residential roads located across the boundary in Bromley, it would require the agreement of that local authority to participate in the scheme.

Given the location of the scheme on the borough border with Bromley it was questioned how the Council had engaged with Bromley Council during the development of the scheme. It was advised that when the temporary LTN had been extended, Croydon officers had reached out to Bromley officers about potential mitigation. Transport for London (TFL) had also facilitated meetings of both boroughs to discuss the scheme. The scheme presented to the Traffic Management Advisory Committee (TMAC) included mitigation and a monitoring system for Bromley. Ideally the two Councils would be working together on the LTN, but Croydon was able to notify Bromley of their decision to proceed, to which Bromley would have a month to respond. If there was

disagreement about the final scheme it would be down to the Greater London Authority (GLA) to make a final decision.

In response to a question about the maximum length an experimental traffic order could be in place, it was advised that the longest duration would be 18 months. It was decided by TMAC that the scheme in South Norwood and Crystal Palace would be limited to 12 months.

Echoing some of the previous comments made, concern was expressed that the scheme was being introduced after a period of significant disruption from the covid-19 pandemic and as such it would be extremely difficult to make an assessment on the success of the scheme.

It was confirmed that funding for the scheme came via two routes. One was the Active Travel Fund from central government and the other was from local transport funding. If the Council decided to delay the scheme to gather baseline data, then there was a risk that these funding sources would no longer be available.

It was suggested that from the information provided, the extent of the consultation with Bromley seemed to have been the minimum amount needed to meet legal requirements, when a more engaged approach may have been more successful. In response, it was advised that council officers had begun engagement on the concept in late 2019 through the Cyprus School with designed engagement with the community. A separate engagement event for the community had also been held at the Church Hall in the local area. This consultation had subsequently been overtaken by events arising from the pandemic, with advice from the Secretary of State for Transport to take urgent action.

As a follow up question, it was asked why it had been originally decided to use a temporary order in 2020, when an experimental order could have been used at that time. It was advised that many other London boroughs had been looking at introducing LTNs and had chosen either a temporary or experimental order. The legal advice given was that the LTN would not be introduced under natural conditions, due to the pandemic, so it was decided to use the temporary order made available by the Government. The Chair highlighted that when the Committee had considered traffic orders at a previous meeting, it had been in favour of the Council using experimental orders.

It was questioned whether further action would be taken going forward to reach a consensus with Bromley Council. It was advised that there was a hope that Bromley and Croydon officers would be able to work together to design appropriate mitigation and monitoring for the scheme. However, it may be difficult to achieve the approach preferred by Bromley in this particular location.

One Member of the Committee suggested that the approach taken to consultation may have been too rigid and it would be useful to have an engagement plan to map out future consultation on both a cross borough basis and with local community forums. It was agreed that a plan should be created for the project going forward.

In response to a question about how this particular scheme had been chosen, it was advised that action had been taken across the northern part of Croydon in response to the request from the Secretary of State for Transport, which had resulted in planters being installed. TFL had subsequently published its Streets Space Plan calling on local authorities to take action, which had included recommending pursuing LTNs. The scheme also helped to meet the priority of creating a cycling corridor in the north of the borough.

In response to a comparison made with another LTN scheme in Walthamstow, it was commented that as the Walthamstow scheme was three times the size of the one proposed for South Norwood and Crystal Palace, it was difficult to make a judgement on the potential benefits that may arise from the experimental scheme.

As it had been noted that Bromley Council was not in favour of road closures preferring instead to pursue other active travel measures, it was questioned how these different positions could be aligned. The Cabinet Member reiterated that he was happy to engage with Bromley to reach an understanding on how the scheme could be made to work for the residents of both boroughs.

Given Bromley Council's opposition to the LTN, it was questioned what alternatives schemes they were considering to boost active travel. It was advised that Bromley had introduced segregated cycle routes and the need to find the right solution for the right location was emphasised. In this instance, the negative impact upon Bromley residents had been too high. Bromley Council was happy to engage on possible schemes, but was not convinced about using the LTN as a start point.

In response to a question about what could be done to mitigate the impact of the scheme on the residential roads in Bromley directly affected by the LTN, it was advised that a filter would be needed to prevent vehicles accessing the LTN from the problem direction. It was highlighted that this did not need to be a physical closure.

It was questioned what criteria would be used to determine the success of the experimental scheme, for instance improved air quality or traffic reduction. It was advised that there was a need to be aware of the changing situation as lockdown was eased. There will be a need to ensure that the impact on the surrounding roads was taken into account, which would be managed through monitoring. However, there was a wide range of determinates that would be used to evaluate the success of the scheme including air quality, traffic congestions and road safety. Reducing car journeys was a key aim, but this interlinked with the other previously mentioned criteria. The Committee agreed that it would provide additional transparency to have clear criteria for determining the success of the experimental scheme, in place before it started.

As a follow-up, it was asked whether consideration had been given to gathering baseline data when the economy reopened and before the scheme commenced to ensure that there was a realistic data set available to provide a

more accurate comparison. It was advised that it may be difficult to get accurate data on pollution due to the shifting picture as the lockdown eased. Monitoring would start on Croydon roads as soon as possible after the meeting and the possibility of installing monitoring in Bromley would be explored.

In response to a question about the collection of qualitative data as well as quantitative data, it was advised that as part of the arrangements for the scheme, the Council was required to communicate on a local level throughout the lifetime of the experimental scheme. The feedback from this would be used to inform the final decision.

It was suggested that the scheme could be seen as appealing to middle class people living in the residential areas within the boundaries of the LTN at the expense of working class people who may live on the surrounding main roads. In response, it was highlighted that there were indications that LTN schemes benefitted people who were more disadvantaged, with the level of deprivation in an area being one of the data sets drawn upon by the TFL when considering schemes.

As a follow-up, it was suggested that consideration needed to be given to the potential negative impact on the air quality of the surrounding roads and whether any mitigation was needed if it deteriorated past a certain level. It was highlighted that the Council was committed to the levelling up approach outlined in the Mayor of London's Healthier Streets Strategy. Although the responsibility for main roads rested with different authorities, it was important to work together to reduce the impact of these changes.

In response to a question about what action the Mayor of London was taking to reduce traffic on main roads, it was advised that the Mayor had proposed a change to the boundaries for the Congestion Charge. The Mayor has also made it clear that he is seeking to pursue the healthy streets approach by giving over space for walking and cycling.

It was noted that there had previously been complaints about the level of signage used for the temporary scheme and as such it was questioned how this would be addressed in the experimental scheme. In response, it was highlighted that the signage used for the temporary scheme had complied with legislation and the Traffic Adjudicator had concluded that the Council's signage was correct. However, it would be ensured that there was sufficient signage in place on side roads to inform motorists of the LTN.

In response to a question about how any revenue raised by penalty charge notices for traffic offences would be used, it was confirmed that the funds were ring fenced for spending on either traffic improvements or traffic related measures, which in Croydon was spent on the freedom pass.

As a final question, it was asked whether anything could be done to prevent companies such as Google and GPS route finding systems using residential roads for shortcuts on their route finding apps. In response, it was highlighted that there had been indications that these apps had facilitated the growth of

traffic in London. However, as they were using public highways, it would require an intervention beyond Croydon Council to prevent these apps using residential roads. By implementing restrictions, such as the LTN, the roads within the zone were taken out of these maps.

Following the questions of the Committee, the Cabinet Member was given the opportunity to provide a final response, during which it was re-emphasised that both Croydon and London had significant air quality and road safety issues. The proposed experimental scheme allowed for a balanced approach, taking into account relevant exemptions and would be an opportunity to collect data and work with residents to improve the final outcome. The Cabinet Member also confirmed his commitment to meaningful engagement with residents and Bromley Council on both an officer and political level.

Before the Committee made its final deliberations on the outcome of the Call-In, the Chair reconfirmed the three options available, which were:-

1. That no further action was necessary and the decision could be implemented as originally intended.
2. To refer the decision back to the Cabinet for reconsideration, outlining the nature of the Committee's concerns*
3. To refer the decision to Council, if the Committee considered that the decision taken was outside of the Budget and Policy Framework.

During the final deliberation by the Committee, it was recognised that the proposed LTN was proving to be divisive in the local community and that legitimate concerns had been raised by the external speakers, which the Committee agreed required additional clarification. These concerns included the need to have baseline data and clear criteria in place to be able to judge the success of the LTN, the need to engage with Bromley Council to identify appropriate mitigation for the neighbouring roads in Bromley, the need to have an engagement strategy and the need to be monitoring the impact of the LTN on the air quality in the areas bordering the scheme. However, it was also acknowledged that it would not be unreasonable to pursue the scheme as an experiment, particularly given the need to take action to address the climate emergency.

It was concluded that as the decision taken was within the Council's Budget and Policy Framework, it would not be referred to Council for further consideration. However, as the Committee had a number of concerns relating to the delivery of the experimental order it would refer the decision to the decision maker to give consideration to these concerns. It was also concluded that requests would be made for two updates to be provided to the Streets, Environment & Homes Sub-Committee. One prior to the start of the experiment to provide an update on the response to the concerns raised by the Committee. A second update was requested to be given upon completion of the experiment on the outcomes from the experiment.

As the Committee originally concluded that it would refer the decision to the decision maker for reconsideration, which was not an option available under the procedure for call-ins in the Council's Constitution, the meeting was

reconvened on 20 May 2021 to confirm the decision. At the reconvened meeting the Committee agreed that it would refer the decision to the Cabinet for reconsideration based on the concerns outlined below.

RESOLVED: The Committee agreed to refer the decision to the Cabinet for reconsideration based on the following concerns:-

1. The Committee was concerned that the lack of clarification on the baseline data sources to be used for the experiment would make it difficult to quantifiably demonstrate the potential benefits arising from the experiment to the local community. As such that further work was needed to identify and refine the quantifiable data sources that would be used for the project. Additionally, in order to build public trust, confirmation of these data sources had to be made publicly available, prior to the start of the experiment in South Norwood & Crystal Palace.
2. The Committee was concerned that it would be difficult for the public to have confidence in the benefits arising from the experiment without clearly defined success criteria. As such urgent work was needed to define a framework by which the success of the scheme would be assessed. This needed to be completed and made publicly available prior to the start of the experiment in South Norwood & Crystal Palace.
3. The Committee was concerned about the potential impact the experiment may have upon the roads surrounding the LTN, particularly in regards to air quality. As such any monitoring installed as part of the experimental scheme needed to include the wider area. Additionally, given the potential negative impact on the air quality in the surrounding roads, mitigation needed to be identified as a matter of urgency, should there be a significant deterioration in air quality.
4. The Committee was concerned that the level of engagement with Bromley Council to date had not resulted in an agreed way forward for the experiment, which was likely to result in a detrimental impact for those Bromley residents living closest to the scheme. As such further engagement with the London Borough of Bromley needed to be prioritised, to ensure that the appropriate mitigation was in place before the start of the experiment.
5. Although reassurance was given about the level of consultation that would be undertaken throughout the experiment, it was agreed that the engagement strategy for the Crystal Palace & South Norwood LTN project needed to be made publicly available as soon as possible.
6. In light of concerns raised about during the meeting about the level of signage used during the previous temporary scheme, there needed to be an ongoing review of the signage used during the life of the experimental scheme.
7. The Committee had a concern that it would be difficult to reduce congestion on residential roads while route-finding apps continue to

include these roads as potential route options for motorists. As such the Committee would ask the Cabinet Member for Sustainable Croydon to give a commitment to working with other London boroughs to address the issue of route finding apps directing motorists through residential streets.

8. In light of the above concerns, it is requested that the Cabinet Member for Sustainable Croydon provides two updates to the Streets, Environment & Homes Sub-Committee. Firstly, before the start of the experiment to provide a response to the concerns of the Scrutiny & Overview Committee. Secondly, at the conclusion of the experiment to provide an update on the outcomes.

25/21 **Exclusion of the Press and Public**

This motion was not required.

The meeting ended at 10.38 pm

Signed:

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Date:

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