

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY PANEL
7 JULY 2010

(7.15pm – 9.50pm)

PRESENT: Councillors Russell Makin (in the Chair), Jeff Hanna, Henry Nelles, Judy Saunders, John Sargeant, Linda Scott and David Simpson.

ALSO PRESENT: Councillors Andrew Judge (Cabinet Member for Environmental Sustainability and Regeneration), Martin Whelton (Cabinet Member for Community and Culture), John Bowcott, Richard Chelley, Chris Edge, Samantha George, Ian Munn, Diane Neil Mills

William Brierly – Former Cabinet Member for Planning and Traffic Management.

Chris Lee (Director of Environment and Regeneration), Mario Lecordier (Traffic and Highways Services Manager) Waheed Alam (Traffic and Highways Engineer), Helen White (Head of Civic and Legal Services), Tara Butler (Interim Spatial Planning Manager), Hilary Gullen (Scrutiny Officer) and Lynne Hartley (Democratic Services Officer).

1 DECLARATIONS OF INTEREST (Agenda Item 1)

Councillor Andrew Judge declared a personal interest in respect of agenda item 4 as a Barrister Director of Green Life Energy Ltd.

2 WIMBLEDON AREA TRAFFIC STUDY – CALL IN OF DECISION BY THE FORMER CABINET MEMBER FOR PLANNING AND TRAFFIC MANAGEMENT (Agenda Item 3)

On behalf of the signatories to the call-in request Councillor Judy Saunders asked the Panel to refer the decision to the Cabinet Member to allow decisions to be taken across the area as a whole. It was felt that insufficient weight had been given to residents' views and that the possibility of closing roads on a temporary basis to assess the impact should be considered.

At the invitation of the Chair, William Brierly explained that the report had been available to him in draft form over a week before taking the decision on 6 May 2010 and he had felt it his duty to take action before leaving office having been so closely involved with the issues for so long. In particular he had wished to encourage road users from outside the area to use other routes, such as the A3, to tackle the issue of rush hour traffic and to address volume and speed problems in Somerset and Burghley Roads. The view had been taken that road closures were unlikely to be justifiable because of the impact on neighbouring roads.

The Panel was then addressed by the following representatives of residents' associations:

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY PANEL 7 JULY 2010

Sue Cooke, Parkside Residents' Association, considered the decisions taken to be fair and in particular supported the 20mph speed limit. If the decisions were to be revisited she asked that clear objectives be set, the implications for other roads be assessed and that the whole community be consulted.

Anita Harlock, Woodside Area Residents' Association, supported the calling in of the decisions taken, favouring a solution for the whole area. She believed that the key issue was one of volume rather than speed.

Gordon Lawson, New Belvedere Estates Residents' Association, also supported the call-in and saw volume rather than speed as the main problem, a problem which was not limited to rush hour.

Roger Jones, Burghley Road and Somerset Road Action Group, felt that the decisions taken were not appropriate for a conservation area and that speed was a significant issue in Burghley and Somerset Roads. He favoured temporary road closures to assess their effectiveness.

Charles Sturge, Belvedere Estates Residents' Association, asked that traffic be distributed across all roads in the area and that no measures should be taken that would have the effect of increasing traffic volumes in other roads.

The meeting was next addressed by ward councillors.

Councillor John Bowcott welcomed the opportunity to continue to look for a holistic solution but pointed that there were limited crossing points in the area and so it would be difficult to further restrict these by road closures. Modelling had showed that closures would have a knock on effect for other roads. Councillor Bowcott suggested that 20mph speed limits may discourage use of the roads as well as addressing health and safety concerns.

Councillor Samantha George supported the decisions taken by the former Cabinet Member, which had been taken after detailed consideration of the proposals over an extensive period of time. She considered that closure of the Belvedere roads would inevitably displace traffic into other roads.

Members of the Panel then put questions to William Brierly who responded as follows: -

- Consultation on road closures had not been fully pursued due to the volume of opposition. Option 6 had included no entries and two no right turns. The Street Management Advisory Committee had not recommended consultation on road closures.
- The differences of opinion around proposals for the Belvederes were acknowledged and a meeting had been held not long before the decisions were taken.
- In taking the decisions consideration had been given to the scheme in its totality. Options had been discussed over the years with officers in traffic and highway services and in legal services.

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY PANEL
7 JULY 2010

Questions were next put to officers who responded that:-

- There were different objectives for different part of the scheme which gave scope for separate implementation of parts of it.
- The advice given to the Cabinet Member prior to the decisions being taken was as set out in the report.
- The length of time taken to prepare the report for consideration by the Cabinet Member was not unusual given the complexity of the issues.

Councillor Henry Nelless moved that the decision should not be referred back to the Cabinet Member on the basis that due process had been followed. Officers had concurred that the timescale was reasonable, that the scheme did not have to be implemented holistically and residents' associations had been consulted and due weight given to their responses. Councillor Linda Scott seconded the motion and it was put to the vote. There were 4 votes in favour of the motion and 4 against and the Chair used his casting vote against the motion. The motion was therefore lost.

Councillor Judy Saunders moved, and it was seconded by Councillor Jeff Hanna, that the decision be referred back to the Cabinet Member for reconsideration for the reasons set out in the call-in request. The motion was carried on a vote of 4 in favour with none voting against.

RESOLVED: That the decisions taken in respect of the Wimbledon Area Traffic Study are referred to the Cabinet Member for Environmental Sustainability and Regeneration for reconsideration.

3 ADJOURNMENT

The meeting was adjourned at 8.35pm for 10 minutes.

4 CORE STRATEGY SUBMISSION TO SECRETARY OF STATE – CALL IN OF CABINET DECISION (Agenda Item 4)

The Panel was addressed by the signatories to the call-in request, Councillors Richard Chellew, Diane Neil Mills and John Bowcott. They asked that the submission be subject to scrutiny review prior to being presented to Council and questioned whether the Government Office for London, the Environmental Agency and the Mayor's Office had been consulted on the changes, for instance changes to the affordable housing section where it was felt there had been no consultation or an evidence base prepared to show it was achievable.

Tara Butler advised that the need to consult with external agencies arose where proposals deviated from regional or national policy. The last formal report to the Borough Plan Advisory Committee had been made in January.

Councillor Andrew Judge commented that no substantive changes had been made to the Strategy. The changes were mainly presentational to highlight elements of the draft London Plan. Inevitably there would be minor amendments on an ongoing basis.

Councillor Martin Whelton referred to chapter 18 and advised that apart from textual

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY PANEL
7 JULY 2010

amendments the only change was the addition of paragraph 18.20 which provided for viability testing of schemes. Elements had been removed where there was no substantial evidence base, for instance in relation to Mitcham and social housing.

Asked to comment on the timing Tara Butler stated that it was important to meet the Local Development Scheme timetable and ensure that research and evidence did not become outdated. Adding in another committee cycle would put the strategy outside the timetable and there would be associated costs with this.

Councillor Jeff Hanna drew attention to the costs of delay referred to in paragraphs 6.8 and 6.9 of the officers' report in the supplementary agenda. Asked about the legal advice provided in the report Helen White confirmed that her advice to the Panel remained as set out in paragraph 7.1 of that report.

Councillor Henry Nelless expressed concern that the recommendations from Cabinet made provision for significant changes to be made to the document under delegated powers and wished to see safeguards built in to ensure proper consultation and maintain cross party support for the document.

As Chair of the Borough Plan Advisory Committee Councillor Ian Munn stated that the timetable was the same as when last considered informally by the Committee members in March. Delay would weaken the validity of the evidence base and changes had been made to only three pages of the document.

Councillor Diane Neil Mills maintained that a number of changes had been made, including a new policy on affordable housing and an objective to make Merton the lead authority on the environment.

Tara Butler advised that some amendments had been necessary to ensure the document accorded with Merton Council's Economic Development Strategy (adopted by Council in March 2010) and climate change matters were closely aligned to that in the draft London Plan. The proposed changes to affordable housing had been raised in November 2009 with the Member's Affordable Housing Forum and had been presented to the Borough Plan Advisory Committee in January 2010, and again with the Members Affordable Housing Forum in February 2010. The proposal for a scheme of delegated powers had been drawn up following advice from legal officers, the Planning Inspectorate, other boroughs and the Government Office for London that the deadlines should be met.

Councillor Andrew Judge gave assurances that at that time no significant changes were anticipated but if any arose for consideration he would consult with the Borough Plan Advisory Committee members at a formal meeting of the group. He referred to appendix 3 to the supplementary report which set out the changes and the reasons for them.

The Chair asked that members of the Panel should also be consulted in the event of significant changes being proposed.

Noting the Cabinet Member's assurances and that the Head of Civic and Legal Services had confirmed that the delegations proposed followed due process Councillor Jeff Hanna moved that no action should be taken. The motion was

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY PANEL
7 JULY 2010

seconded by Councillor Judy Saunders and carried on a vote of 4 in favour, 3 against and 1 abstention.

RESOLVED: That the decision on the Core Strategy submission to the Secretary of State is not referred back to Cabinet.