

**MINUTES OF THE MEETING OF THE OVERVIEW & SCRUTINY COMMITTEE  
HELD ON MONDAY, 28 FEBRUARY 2022**

**COUNCILLORS**

**PRESENT** (Chair) Susan Erbil, Mahmut Aksanoglu, Lee David-Sanders, Birsen Demirel, Elif Erbil, Ergin Erbil, Stephanos Ioannou and Derek Levy

**ABSENT** Margaret Greer and James Hockney

**STATUTORY CO-OPTTEES:** *1 vacancy (Church of England diocese representative), vacancy (other faiths/denominations representative), Mr Tony Murphy (Catholic diocese representative), Alicia Meniru & 1 vacancy (Parent Governor representative) - Italics Denotes absence*

**OFFICERS:** Sarah Cary (Executive Director Place), Doug Wilkinson (Director of Environment & Operational Services), Richard Eason (Healthy Streets Programme Director), Claire Johnson (Head of Governance, Scrutiny & Registration Services Deputy Monitoring Officer (Governance)), David Morris (Head of Parking Services), David Taylor (Head of Traffic & Transport), Melanie Dawson (Senior Regeneration Lawyer, Deputy Monitoring Officer (Legal)), Christina Gordon (Healthy Streets Project Manager), Petros Ximerakis (Healthy Streets Project Manager), David McCaffery (Healthy Streets Programme Manager) Alex Stebbings (NRP), Marie Lowe (Governance and Scrutiny Officer), Stacey Gilmour (Governance Officer)

**Also Attending:** Councillors Maria Alexandrou, Daniel Anderson, Ian Barnes (Deputy Leader of the Council), Nesil Caliskan (Leader of the Council), Peter Fallart and Charith Gunawardena

Tony Messina (representing Lead Petitioner)  
Simon Allin (Press)

**1**

**WELCOME & APOLOGIES**

The Chair of the Overview and Scrutiny Committee welcomed members, officers and members of the public to the meeting and explained the process to be followed in hearing the Call-ins.

Apologies for absence were received from Cllr Margaret Greer for whom Cllr Ergin Erbil substituted and James Hockney for whom Cllr Stephanos Ioannou substituted.

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The Committee AGREED to change the order of the agenda to enable the petition to be received before the Called-In items.

### 2

#### **DECLARATIONS OF INTEREST**

There were no declarations of interest.

### 3

#### **PETITION ON STOP ROADBLOCKS FOR PEDESTRIANS AND CYCLISTS**

RECEIVED a petition from members of the community which asked the Council to stop roadblocks for pedestrians and cyclists – reduce emissions from the increased traffic these blocks cause. Stop discriminating against disabled car users who cannot walk nor cycle.

NOTED the report of the Director of Law and Governance, confirming that the petition was compliant and had sufficient numbers of signatures to trigger a debate at Overview and Scrutiny Committee, having 3,159 verified signatures.

NOTED the statement of Mr Tony Messina (on behalf the Lead Petitioner, Mr Apple) that:

1. The proposal did not take into consideration the protected characteristics identified under the Equalities Act.
2. The scheme would affect the daily lives of blue badge holders and other disabled road users with restricted mobility.
3. There had been insufficient scrutiny of the data informing the decision to implement Low Traffic Neighbourhoods (LTNs).
4. Traffic orders had been implemented without proper consultation or communication with local residents.

Cllr Barnes, Deputy Leader of the Council thanked Mr Messina for attending the Committee to present the petition on behalf of Mr Apple and responded as follows:

1. The purpose of the initiative was to reduce the injuries caused to disabled pedestrians who were five times more likely to be injured by vehicles and to provide safe corridors for the expected increase in the number of pedestrians and cyclists who would use the scheme.
2. It was recognised that a number of residents were very upset and disappointed regarding the inclusion of St Pauls school into the school street scheme. However, this scheme was to keep children and pedestrians near to school safe.
3. Extensive consultation with the population of the areas affected had been undertaken and the needs of blue badge holders had been taken into consideration before the decision to implement the proposal had been taken.

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Cllr Caliskan thanked the petitioners for their time in presenting the petition to the Council and stated that petitions were an important part of the Scrutiny and democratic process.

1. The impact of the proposed scheme on the nine protected characteristics under the 2010 Equalities Act had been assessed by senior officers in the Legal Services of the Council.
2. The proposals were within the law, although an individual may not necessarily agree.
3. The Council had responded to resident's anxieties and concerns by extending the criteria on which Blue Badges were awarded.
4. Support was being provided by the Council to applicants of the Blue Badge scheme, for which any resident was welcome to apply.

Questions, comments, and debate from Committee Members:

1. There were hidden disabilities, including mental health issues which could be exacerbated under the proposed scheme.
2. Would the proposal stop the free movement of traffic and would there be an increase in emissions from the stop/ start of vehicle engines?
3. How clear was the letter to residents in the roads affected by school streets?
4. Had there been engagement with the disability reference groups?

The Chair thanked Mr Messina for his time and contribution in presenting the petition, together with the questions regarding the implications for residents which the Committee unanimously AGREED to consider during the discussions of the Call-In items.

### 4

#### **CALL IN: NORTH MIDDLESEX HOSPITAL ACTIVE TRAVEL IMPROVEMENTS**

The Chair outlined the purpose and format of the call-in process and detailed the options available to the Committee. The Chair also reiterated that only questions relating to the reasons for call-in would be permitted from Committee Members.

Cllr Fallart was welcomed by the Chair and requested, as the Call-in lead, to provide the reasons for call-in:

1. The scheme would increase journey times for hospital patients who were elderly or who relied on private cars to access hospital services.
2. Consideration should also be given to patients who may need to access North Middlesex Hospital Accident and Emergency by car. Bull Lane was the most direct route from the south of the Hospital.
3. 82 percent of the objectors to the proposed traffic orders described themselves as having a disability.
4. The report acknowledged the proposed Bus Gate on Bull Lane and modal filters on Amersham Avenue and Shaftesbury Road would lead to traffic displacement onto Pretoria Road and Weir Hall Road. Enfield

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Council had suggested introducing a school street outside Wilbury Primary School on Weir Hall Road as a mitigation measure. The School Street was not included as part of the scheme. The effects of both schemes should be considered together.

5. The scheme was likely to displace traffic onto the already congested A10 Great Cambridge Road and A406 North Circular Roads. The Northbound A10 carriageway was often already severely congested south of the Great Cambridge Roundabout. This could impact journey times to the hospital. An assessment of potential displaced traffic onto these roads should be carried out.

The Chair thanked Cllr Fallart and asked the Deputy Leader of the Council, Cllr Barnes and Officers to respond.

1. The North Middlesex Hospital Active Travel Improvements formed part of the Enfield Healthy Streets programme, the purpose of which was to encourage people to walk or cycle more to the hospital for whatever reason.
2. The school streets at Wilbury Primary School would also create a safer environment for children and associated adults to travel to school by alternative methods of active travel.
3. Haringey were in favour of the scheme, as were very senior staff at the hospital, including the Chief Executive of Strategy Operations who actively encouraged staff to live and work locally.
4. Surveys showed that many doctors wanted to cycle, however, considered it unsafe to do so.
5. The proposals would direct traffic onto the larger roads away from smaller residential roads, often used as 'rat runs' to minimise the journey time, often by only a few minutes.
6. All routes in Enfield were open to the hospital, including bus gates from the south.
7. Through routes were needed to secure safer environments for cycling.

Cllr Nesil Caliskan contributed the following responses to the reasons for the Call-In:

1. Hospital staff were the principal concern. The Chief Executive of the hospital encouraged staff to live close to the hospital.
2. Figures indicated that where staff lived locally there were better medical outcomes.
3. There was a balance to be achieved with new homes being allocated to key workers.
4. The routes were next to some unique and strategically important areas, which were well connected with high density population. It was paramount that the traffic used the better roads elsewhere.
5. The provision of bicycle hangers and showers had been requested by the hospital.
6. The Chair of the hospital Board was keen to engage the large diverse workforce at the hospital. The workforce was critical to the North Middlesex Hospital.
7. The Council was working at a strategic level with the hospital to bring together all parties, including residents.

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8. The installation of camera operated bus gates would open for buses and emergency services, would create slower safer route and protect cyclists.

At the request of the Chair, Officers provided the following information:

1. The bus gates, which would be in operation for 24 hours per day, would filter traffic into the areas which would reduce congestion and emissions from motor vehicles.
2. Impact assessments would be part of the post implementation monitoring.
3. TfL administered the Department of Transport Active Travel Fund Tranche 2. Expenditure was fully funded by means of direct grant from TfL, therefore no costs fell on the Council.
4. Existing street lighting times could be extended and powered up as most were currently not on full power all the time.

The Chair opened the discussion to Members of the Committee for any comments or questions.

Q: Was the proportion of staff at the North Middlesex Hospital who walked or cycled to work and the distance known?

A: 60% of the staff at the hospital lived in the local area.

Q: How confident was the Cabinet Member that there would be lower carbon emissions?

A: Air quality monitoring data would be available to show the emissions had been and continued to be reduced.

Q: Where those proposing to introduce the scheme familiar with the area, particularly during the times of 4.30pm to 7pm, when the roads adjacent to the were gridlocked with many drivers trying to avoid the A10 and Fore Street? Together with the impact on both commercial businesses and individuals?

A: The proposed routes would make it safer to commute to the hospital.

Q: How would the behavioural and cultural changes be encouraged, and would there be a choice, or would the use of the scheme be imposed on staff at the hospital and other stakeholders?

A: It was envisaged that the proposals would encourage positive behavioural and cultural changes and discouraged shorter car journeys.

Q: Not everyone would be able to participate immediately in active travel and there would be unrestricted access to the hospital for those who were not able to do so. For example, those attending the hospital for tests or results.

A: To make a real change to the area all residents and visitors needed to be encouraged to be involved and to adopt and use the active travel ethos.

Cllr Fallart, at the request of the Chair summarised the reasons for call-in.

1. As a result of the implementation of the active travel scheme, traffic would be displaced on to the main roads which would become congested, and ambulances would not be able to respond to calls.

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This had not been taken into account. Nor had the impact on the users of the North Middlesex Hospital, who would become stressed when waiting in traffic to reach the hospital. This applied particularly to North Bull Lane diverted onto Wilbury Way.

2. The proposed alternative action would be to refer back to Deputy Leader for review of the decision.

The Chair confirmed that having heard the reasons for call-in and the responses to call-in, the Members of the Overview and Scrutiny Committee would now be asked to vote. The options available to Members were:

- i) Confirm the original decision.
- ii) Refer the decision back to the Cabinet Member/Decision Maker for further consideration.
- iii) Refer to Full Council

Cllrs Mahmut Aksanoglu, Birsen Demirel, Elif Erbil and Ergin Erbil voted to confirm the original decision. Cllrs Lee David-Sanders and Stephanos Ioannou voted against the original decision and Cllr Derek Levy abstained from voting. The original decision was confirmed and could therefore be implemented.

**(Action: Implementation of the original decision taken by the Deputy Leader of the Council).**

Cllr Anderson was welcomed by the Chair and requested, as the Call-in lead, to provide the reasons for call-in:

KD 5372 (North Middlesex Hospital Active Travel Improvements) was being called-in on the basis that the report failed to provide any evidence that the measures proposed were essential, nor did it seek to weigh-up the scale of the alleged benefits that would be expected to balance against the significant disbenefits that the proposed intervention would cause. There was also no evidence provided that the £1.245m scheme would reduce carbon emissions, nor was there any baseline data on walking or cycling and no evidence that the project would increase active travel.

1. Inadequate community and stakeholder engagement
2. The scheme will be significantly detrimental to older people, the disabled and expectant mothers
3. The scheme will have a significantly detrimental impact upon other road users
4. There will be traffic displacement which will worsen the quality of life for many
5. The overview of consultation report contains flawed logic
6. There is no evidence provided for claims made regarding Environmental and Climate Change Considerations
7. The identified risks of not making the proposed decision contains flawed logic

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8. There is no evidence provided for the identified risks of making the proposed action
9. There is no reference to TfL's managed decline, which could have huge consequences for the project's viability
10. There are concerns over the financial viability of the project

The Chair advised that Cllr Elif Elgin, who had been absent for some of the discussion, would not be able to vote on this item.

The Chair thanked Cllr Anderson and asked the Leader of the Council, Cllr Caliskan and Officers to respond. Cllr Barnes, as Cabinet Member also contributed to the responses.

1. The proposed scheme would improve the distribution of traffic in the neighbourhood, which would result in better care for the sick, with clearer routes for ambulances.
2. Extensive community and stakeholder engagement, which included staff employed at the hospital took place.
3. The use of the cycle lanes, once installed, would be monitored to compare the results with those before the proposed scheme had been implemented. Cycling was encouraged by the medical profession to keep fit and active.
4. There was considerable evidence that aligned the proposals with the Council's objectives for climate change.
5. That people would still wish to drive to the hospital had been recognised with the provision of access routes to the hospital.
6. There would be some impact on the availability of parking spaces around the hospital in that there would be a limited number of pay and display bays. There would no impact on the wider area.

The Chair opened the discussion to Members of the Committee for any comments or questions.

Q: Most of the concerns given by the lead for calling-in the decision was because of the lack of engagement. What were the methods of engagement that were used?

A: The consultation undertaken had been proportionate to the scheme, this had included the Chief Executive, Director of Strategic Operations, and hospital staff. Additional suggestions of methods of engagement and consultation were welcomed.

Q: How would the active travel scheme impact on parking?

A: There were currently a limited number of parking spaces available in the pay and display bays in the surrounding streets to the hospital. There would be no impact on spaces available on the hospital site or on the wider area.

The Chair asked Cllr Anderson, as Call-in Lead, to summarise.

1. There had been very poor use of finite funds.
2. The report did not state how many of the 205 responses received were from the hospital staff and what opinion they had expressed.

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3. Residents were expected to walk more and to use public transport. However, the proposals did not include improvements to the public transport network. The £1.3m should be used to improve the public transport network.

The Chair confirmed that having heard the reasons for call-in and the responses to call-in, the Members of the Overview and Scrutiny Committee would now be asked to vote. The options available to Members were:

- i) Confirm the original decision.
- ii) Refer the decision back to the Cabinet Member/Decision Maker for further consideration.
- iii) Refer to Full Council

Cllrs Aksanoglu, Demirel, Ergin Erbil and Susan Erbil voted to confirm the original decision. Clls David-Sanders and Stephanos Ioannou and Derek Levy voted against the original decision. The original decision was confirmed and could therefore be implemented.

**(Action: Implementation of the original decision taken by the Deputy Leader of the Council).**

## 5

### **CALL IN: FOX LANE AREA QUIETER NEIGHBOURHOOD**

The Chair outlined the purpose and format of the call-in process and detailed the options available to the Committee. The Chair also reiterated that only questions relating to the reasons for call-in would be permitted from Committee Members. The Chair requested Cllr Gunawardena, as the Call-in Lead, to provide reasons for call-in.

KD 5403 (Fox Lane Area Quieter Neighbourhood) was being called-in on the basis that there was a lack of any robust evidential basis to support the decision, nor the statement, as outlined in point 2 of the decision statement, which stated, "Taking into account the various matters set out in this report, it is considered the factors in favour of making the experimental traffic orders permanent outweigh the dis-benefits and/or disadvantages of removing the trial."

The arguments for the call-in were summarised as follows:

1. The assumptions made, and models used, were not presented in the report
2. Inadequate quality control measures had been used
3. Concerns about the survey methodology
4. Combining respondents from within QN with boundary road
5. Misleading statements about car ownership and systematic bias in reporting
6. Issues with the Equality Impact Assessment (EqiA)
7. Issues with Traffic Monitoring data
8. Issues with Bus data



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9. The report failed to provide evidence that showed how it would mitigate the key objectives of Council's Corporate Plan

The Chair thanked Cllr Gunawardena and asked the Leader of the Council, Cllr Caliskan and Officers to respond.

1. The report sets out the rationale behind the decision. The scheme would have needed to have been implemented for 18 months before a decision could be taken to change or modify the scheme but it would be possible to make future changes to the scheme once implemented.
2. The roads on the boundary of the scheme would be reviewed continuously and it would be possible to make adjustments.
3. There were clear markers by which to measure the impact of the changes.
4. The proposals included both long-term and short-term actions.
5. Contributions were sought from a range of people from protected groups to become involved.
6. The Council had considered the initiative and possible impact over a long period of time and understands the concerns raised by residents. It was not possible to implement any scheme without some upheaval.
7. The Administration do take into consideration the views of residents and do respond to comments.
8. There was no question regarding the professional judgement and integrity of the Officers who had put forward the proposals on behalf of the Administration.
9. The proposal would benefit the most socially and economically disadvantaged in the Borough.
10. There was congestion around the school, which was not in a School Street. However, this street was on the rollout list for School Streets to be implemented across the Borough and would be done as soon as possible, in collaboration with Headteachers.
11. As publicly stated in the direct letters to residents, the proposed scheme would, except for Blue Badge Holders, affect all residents in the area/Borough.
12. There was significant longstanding congestion around the Southgate roundabout, which was not fit for purpose in the 21<sup>st</sup> Century. Enfield Council would work collectively with Transport for London (TFL) to address this issue of concern.
13. Adjustments would be made to the scheme, e.g., Meadway, would be opened-up should evidence indicate that this would be more beneficial to do so. It was not the intention to close Meadway to residents which would be opened-up.
14. It would not be legal to extend the Traffic Orders, nor would it be right to residents to do so before examining the evidence prior to making a final decision.
15. For context, residents were requested to provide feedback to their Ward Cllrs and the Regeneration and Economic Development Scrutiny Panel would also feedback. Anyone was welcome to respond to consultation and were actively encouraged to do so.

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16. Blue Badge Holders had a category of their own with their own specifications.
17. External advice had been sought and received on the scheme, together with extensive involvement of officers from the Environment and Legal Departments.

The Chair opened the discussion to Members of the Committee for any comments or questions.

Q: What was being done ensure the protected characteristics of the disabled population were taken into consideration?

A: It had been publicly stated in a direct letter to residents that Blue Badge Holders were exempt.

Q: Had consideration been given to the responses received to the consultation and was it possible to evidence those responses?

A: Consultation on the proposed scheme had been extensive and responses received had all been carefully considered.

The Chair asked Cllr Gunawardena, as Call-in Lead, to summarise.

Cllr Gunawardena summarised the issues, stating the points addressed were small scale in comparison to the extension to the traffic orders which would impact on the low socially disadvantaged.

The Chair confirmed that having heard the reasons for call-in and the responses to call-in, the Members of the Overview and Scrutiny Committee would now be asked to vote. The options available to Members were:

- i) Confirm the original decision.
- ii) Refer the decision back to the Cabinet Member/Decision Maker for further consideration.
- iii) Refer to Full Council.

Cllrs Aksanoglu, Demirel, Elif Erbil and Ergin Erbil voted to confirm the original decision. Cllrs David-Sanders and Ioannou voted against the original decision. The original decision was confirmed and can therefore be implemented.

The Chair outlined the purpose and format of the call-in process and detailed the options available to the Committee. The Chair also reiterated that only questions relating to the reasons for call-in would be permitted from Committee Members.

The Chair requested Cllr Maria Alexandrou, as the Call-in Lead, to provide reasons for call-in.

According to the statement of reasons in the traffic order, the main purpose of the trial was to reduce motor traffic within the Fox Lane area, reduce the speed of motor traffic and to improve air quality within the area. Instead, traffic had been diverted onto boundary roads, causing severe congestion and

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localised concentrations of pollutants on boundary roads, three roads within the area had seen an increase in motor traffic, speed reduction is negligible and air quality had not improved.

The Chair thanked Cllr Maria Alexandrou and asked the Leader of the Council, Cllr Caliskan and Officers to respond.

1. There were no doubts about the professional integrity of the Council's Officers involved in the scheme. The matter had been through a very rigorous process, including a QC experienced in this field. A multi-disciplinary team was involved in developing the scheme, including the engagement of external specialists and industrial experts.
2. The QC consulted had found Enfield Council's process to be legally sound and that the right process had been followed.
3. The London Ambulance Service had not objected to the scheme. Bollards had been replaced by the camera filter which was effective in this area.
4. A review of the signage of the bus gates would be undertaken. It was unrealistic to consult all the households in the Borough with leaflets.
5. The FOI enquiries had been fully addressed.
6. Consultation in surrounding areas had also taken place. However, more consultation could always take place. Responses to the consultation from Blue Badge Holders would be welcomed.
7. Legally a decision had to be made to implement the proposed changes.
8. There were three new bus routes proposed in Holtwhites.
9. A review of all signage of the scheme, particularly around bus gates, would be undertaken and enhanced where necessary.
10. Officers had approached their job with integrity and had applied their technical knowledge to address increased traffic and a complicated traffic scheme.

Cllr Barnes contributed to the discussion and made the following points:

1. Following consultation, London Ambulance Service and London Fire Brigade had indicated that they supported the changes, which would be brought about by the implementation of the proposals.
2. The emergency services vehicles would be able to pass through the camera filters. This, together with the whole scheme, would continue to be monitored.
3. Objections sent by email were dismissed.
4. The proposed scheme would not have a detrimental impact on deliveries, buses and emergency services.

The Chair opened the discussion to Members of the Committee for any comments or questions.

The Chair asked Cllr Alexandrou, as Call-in Lead, to summarise.

Cllr Alexandrou summarised the issues, stating that crime had been seen to reduce in those areas where LTN neighbourhoods had been implemented. Lighting in other areas where LTNs had been implemented had been

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increased. Other areas had seen bushes cut down to reduce anti-social behaviour.

The Chair confirmed that having heard the reasons for call-in and the responses to call-in, the Members of the Overview and Scrutiny Committee would now be asked to vote. The options available to Members were:

- i) Confirm the original decision.
- ii) Refer the decision back to the Cabinet Member/Decision Maker for further consideration.
- iii) Refer to Full Council

Cllrs Aksanoglu, Demirel, Elif Erbil and Ergin Erbil voted to confirm the original decision. Cllrs David-Sanders and Ioannou voted against the original decision. The original decision was confirmed and can therefore be implemented.

**(Action: Implementation of the original decision taken by the Leader of the Council).**

## 6

### **DATES OF FUTURE MEETINGS**

The dates of future meetings of the Overview and Scrutiny Committee were NOTED as follows:

Business meeting - 21 March 2022

Provisional Call-In meetings – 24 March 2022 and 27 April 2022.

The Chair thanked Members, officers and members of the public for attending the meeting and wished everyone well.