

MUNICIPAL YEAR 2009/2010 REPORT NO. **53**

MEETING TITLE AND DATE:

**Overview and Scrutiny
Committee – 22nd July**

REPORT OF:

Director of Finance and
Corporate Resources

Agenda – Part 1

Item: 3

Subject:

**Councillor call for Action - Controlled
Parking Zone Broadlands Avenue and
Close**

Cabinet Member consulted: Cllr Neville

Contact officer and telephone number:

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1. EXECUTIVE SUMMARY

- 1.1 This report details the initial investigation completed by the Head of Corporate Scrutiny Services into the issue referred as a potential Councillor call for Action (CCfA).
- 1.2 Details of the initial investigation are included in section 4 of this report
- 1.3 The Councillor who has raised this issue can formally ask for discussions at Overview and Scrutiny Committee (OSC) on issues where local problems have arisen and where other methods of resolution have been exhausted.
- 1.4 In accordance with the Council's Constitution, OSC is asked to consider the potential CCfA that has been raised.

2. RECOMMENDATIONS

OSC is asked :

- 2.1 Consider the issue and the results of the initial investigation and then either:
- 2.2
 - a) Refer the issue to the relevant scrutiny panel for review and action (matter to be considered at the next meeting of the panel-unless there are grounds for urgency).
 - b) Agree to deal with the issue itself.
 - c) Agree that this is not a Councillor call for Action and provide reasons

for non- acceptance.

3. BACKGROUND

- 3.1 The Government has enacted, in the Local Government and Public Involvement in Health Act 2007, at section 119, provisions for a Councillor Call for Action (CCfA). This provides members with the opportunity to formally ask for discussions at scrutiny committees on issues where local problems have arisen and where other methods of resolution have been exhausted. This section amends the Local Government Act 2000, with the result that the CCfA provisions form section 21A of that Act.
- 3.2 CCfA will be a means of “last resort” in a broad sense, with issues being raised at Overview and Scrutiny Committee (OSC) after other avenues have been exhausted. It is designed to sit alongside existing methods for Councillors to resolve local issues. As such, the process should make it easier for issues that would benefit from scrutiny consideration to rise to the surface, and for those issues, which are best dealt with through other means to be signposted accordingly. CCfA should focus on outcomes and resolutions for Councillors, and by extension the local community, not processes.

4. Broadlands Avenue and Close

- 4.1 Broadlands Avenue and Close are two of the roads in a controlled parking zone, which was set up in 2006 to prevent students from Enfield College parking on residential streets.
- 4.2 This issue was referred to us by Councillors Chris Murphy and Toby Simon on the 22nd May 09. The Councillors have previously handed in a petition, raised this issue as previous Member Enquiries and the issue has also been raised at the Traffic & Transportation meeting with the Cabinet Member declining the request.

The Issue

A Controlled Parking Zone (CPZ) was put in September 2006 to prevent people from Enfield College parking in the surrounding residential streets. The CPZ was introduced covering the hours 9-6:30 to encompass both morning and afternoon college students. Consultation was carried out prior to implementation and many objections were received. The consultation in January 2005 had 29% negative replies, in the Questionnaire completed in October 2005 43% of all the responses received from the 19 roads that the questionnaire was sent to were from Broadlands Avenue or Close of these 49% were opposed to the scheme. The delegated decision report agreeing the scheme stated that a review of the CPZ would be carried out 6 months after implementation (March 07). This review has never taken place.

Council response

The response was originally that a review would be carried out 6 months after implementation in March 2007. Then in August 2007 it changed to the review will be done once the Parking and Enforcement review is concluded with a suggested date for conclusion of September 2007. To date the Parking and Enforcement review is still to be concluded.

Residents response

The majority of residents do not now appear to be opposed to the parking restrictions but to the times of operation. Residents feel 9:00-6:30 is far too long a period and this prevents them from having visitors during the day and makes the more vulnerable of them feel isolated (50 visitors per household per annum is the most passes that they can have). A petition with 110 signatures was presented to the Mayor in November 2006.

It should be acknowledged that whilst this issue has been raised on behalf of the residents of Broadlands Avenue and Close, these are not the only roads affected by the CPZ.

4.3 Initial Investigation completed by the Head of Corporate Scrutiny before an issue is designated as a CCfA the Ward Councillor is required to:

- have exhausted all other avenues prior to formally referring as a potential CCfA to the Overview and Scrutiny Committee.

The Ward Councillor has made attempts to resolve this issue on behalf of residents and has raised this with both Officers and the Cabinet Member for Environment.

This has been a previous member enquiry and a petition has been handed in November 2006.

- Provide clarity on definitive resolution (action looking for as a result of CCfA to resolve or move forward the issue raised).

The resolution being sought is a review of the Controlled Parking Zone within 2 months; residents have been waiting 2 and a half years since they were originally promised the review.

This does not fall within the excluded items.

5 COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS

5.1 Legal Implications

S. 21A of the Local Government Act 2000 which is inserted by section 119 of the Local Government and Public Involvement in Health Act

2007 (the 2007 Act) *requires* each local authority operating executive arrangements to ensure its overview and scrutiny arrangements enable any member of the authority to refer a local government matter to the relevant overview and scrutiny committee (“ Councillor call for action”). The legislation is expressed as mandatory.

S 21A(10) defines the matters which can be referred to overview and scrutiny committees. Those matters are intended to be any matter that relates to the work of the local authority and which affects the member’s area or any individual who lives or works in that area other than a local crime and disorder matter, or a matter in a category which the Secretary of State has excluded by order such as those matters listed in S.I. 2008 no. 3261.

The provisions have been implemented in accordance with published best practice guidance.

5.2 Finance Comments

If this is considered a CCfA the appropriate financial information will be provided.

5.3 RISK MANAGEMENT IMPLICATIONS

If this is considered a CCfA the appropriate risk management information will be provided.

5.4 COMMUNITY IMPLICATIONS

Positive Impact

Should this issue be considered appropriate as a CCfA, the appropriate community implication information will be provided as part of the resulting report. However, it is evident that this matter is a major concern for members of the community in the location concerned.

6. PUTTING ENFIELD FIRST

Aim 1. Cleaner Greener Enfield

Aim 2 . A Safer Enfield to live study and do business.

Aim 4. Healthier Enfield where people are able to live independent lives

Background Papers

Broadlands Avenue and Close initial investigation file