

MUNICIPAL YEAR 2009/2010 REPORT NO. **56**

MEETING TITLE AND DATE:

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

REPORT OF:

Director of Finance and
Corporate Resources

Agenda – Part: 1

Item: 6

Subject:

**Councillor call for Action Parking
arrangements Keston Close**

Wards:Haselbury

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 asks for discussions at 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 the Overview and Scrutiny Committee is asked to consider the potential CCfA that has been raised.

2. RECOMMENDATIONS

OSC is asked to :

- 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. KESTON CLOSE

- 4.1 Keston Close is located in Edmonton N18 and is a short no-through road consisting of 12 houses, 6 houses on either side. More than half the houses already have crossovers
- 4.2 This issue was referred to us by Councillor George Savva on the 20th May 09. Councillor Savva has handed in a petition and raised this issue as a previous Member enquiry.

Site visits have been undertaken with officers and the issue has been raised at the Traffic & Transportation meeting with the respective Cabinet Member who has declined resident’s request.

The Issue

Cars and vans regularly park on both corners at the end of Keston Close. It is not the residents that park here. This causes problems of access for Emergency Services and the Councils Refuse Collection vehicles. To overcome this problem the Council want to put double yellow lines all down one side of the road. The residents feel that this is excessive and have put an alternative proposal forward this proposal has not been accepted by the Council.

Council’s original response

The Council proposed a scheme to overcome this, which involves putting yellow lines all the way down one side on the road and on the corner at both ends on the other side of the road.

Residents response

The residents strongly oppose this scheme, a petition has been signed by all but one resident of the close and the 2 corner houses on Bromley Road who would be affected. Should the scheme be implemented there would only be parking for 3 cars, so most of the residents without a drive would not be able to park in the close. They have made their own alternative proposal which is to yellow line both corners and on one side of the road up to No 1 Keston Close and then allow on the kerb parking on one side of the road. The residents are also frustrated as there are other roads in the near vicinity that have the same road and pavement width and have pavement parking. On investigation these roads have had this arrangement for a long period of time. The current Council practice is not to permit footway parking.

No scheme will be implemented until the scrutiny has concluded its investigations

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

The Ward councillor has made attempts to resolve this issue on behalf of the residents and has raised this with both the officers and the Cabinet member for Environment.

This has also been a previous member enquiry and a petition has been signed by all but one resident of Keston Close.

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

Yellow line both corners and on one side of the road up to No 1 Keston Close and then allow on the kerb parking on one side of the road.

The function of CCfA is to allow Councillors to act as a champion for local concerns and as part of the initial investigation a resolution to the issue is actively sought. Following the initial investigation stage the Council have agreed to part of the residents proposals and are prepared to put yellow lines at the corners and to No1 Keston Close as requested, but are not prepared to allow kerb parking on one side of the road.

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.

6. RISK MANAGEMENT IMPLICATIONS

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

7. 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.

8. PUTTING ENFIELD FIRST

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Background Papers

Keston Close initial investigation file