

CALL-IN OF DECISION

(please ensure you complete all sections fully)

Please return the completed original signed copy to:
Claire Johnson, Scrutiny Team, 1st Floor, Civic Centre

TITLE OF DECISION: Fox Lane Area Quieter Neighbourhood

DECISION OF: Leader of the Council

DATE OF DECISION LIST PUBLICATION: 7 February 2022

LIST NO: 1/49/21-22 KD 5403

(* N.B. Remember you must call-in a decision and notify Scrutiny Team within **5 working days** of its publication).

A decision can be called in if it is a corporate or portfolio decision made by either Cabinet or one of its sub-committees, or a key decision made by an officer with delegated authority from the Executive.

(a) COUNCILLORS CALLING-IN (The Council's constitution requires seven signatures or more from Councillors to call a decision in).

Call in Lead – Cllr Charith Gunawardena

(1) Signature:.....

Print Name: Cllr C Gunawardena

(2) Signature:.....

Print Name: Cllr D Barry

(3) Signature:.....

Print Name: Cllr D Lemonides

(4) Signature:.....

Print Name: Cllr A Brown

(5) Signature:.....

Print Name: Cllr D Anderson

(6) Signature:.....

Print Name: Cllr A Orhan

(7) Signature:.....

Print Name: Cllr T Neville

(1) Reasons for the “Call in”

KD 5403 is being called in on the basis of there being a lack of any robust evidential basis to support the decision, nor the statement, as outlined in point 2 of the decision statement, which says, *“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 are in summary as follow:

- The assumptions made and models used are not presented in the report
- Inadequate quality control measures have been used.
- Concerns about the survey methodology
- Combining respondents from within QN with boundary road
- Misleading statements about car ownership and systematic bias in reporting
- Issues with the Equality Impact Assessment (EqiA)
- Issues with Traffic Monitoring data
- Issues with Bus data
- The report fails to provide evidence that shows how it will mitigate the key objectives of Council’s Corporate Plan.

These arguments are detailed below:

The assumptions made and models used are not presented in the report:

The comprehensive list of factors referred to in the decision statement have not been defined. There is a lack of any evidenced-based assumptions, or provision of the models used to independently verify the statements contained within the report, which therefore fails to provide measurable criteria for reaching the conclusions that have been presented. Instead, the report relies upon opinions, hopes and wishful thinking of a change in behaviour.

For example, item 2 under the section ‘Reasons for Proposal’ it states, *“With transport accounting for 39% of the Borough emissions, it is essential that this sector plays a key role in moving towards the goal of being a carbon neutral Borough by 2040.”* However, the Fox Lane Low Traffic Neighbourhood (LTN) objectives are specifically limited to the area directly within the scheme. The precise contribution of the scheme to creating any overall reduction in borough-wide emissions has not been evidenced, i.e. specified, estimated, or measured.

The scheme therefore fails to model or measure the changes to overall ‘traffic minutes’ resulting from the introduction of the LTN that can theoretically have a significant bearing on emission levels.

Inadequate quality control measures have been used:

- A lack of adequate quality control measures have been used to limit the impact of ‘gaming’ e.g. the same respondent(s) completing the consultation survey multiple times using different email addresses.
- The absence of quality controls casts considerable doubt over the validity of the consultation responses as the views of a small number of motivated individuals could be having a significant impact on the findings.
- The Council has previously, rejected consultation responses (e.g. for planning applications) and petitions (e.g. for weekly bin collections) if a full name and address has not been provided. There is a sound basis for this approach, as it reduces ‘gaming’ and helps to ensure that the people who respond are who they say they are, and live where they say they live and are not responding multiple times. This consultation has not met this standard, and people have been allowed to respond and have their responses included in the reported data without providing this basic level of quality control information. The consultation responses are therefore unsound.

Concerns over the survey methodology.

Repeat responses to survey

- Residents were allowed to respond to the consultation survey more than once, to allow residents to express changes in their views over the duration of the experiment. A total of 653 people responded more than once. However, only their first response has been used in the analysis. This is a flawed approach. The response used should have been the final response submitted, not the first. Officers say they have used the first responses as they were not significantly different from the later responses. However no evidence has been provided to back up this claim and it would seem surprising for residents to update their view of the scheme if it had not changed. The consultation analysis is therefore unsafe as it does not report the most recent view of more than 205 of the sample.

Unquantified email responses

- A large number of emails were received from 1,689 unique email addresses up to and including 11th July 2021.
- Some people sent more than one email over the course of the experiment but again only their first response was included. As stated above, this is a flawed approach as the last response should have been used.
- None of these email responses have been quantified at even a basic level (e.g. % support, % oppose, % mixed/neutral, % unclear). Apparently, this was not done at the request of the Council. This means that responses and opinions are not being properly captured and communicated in the findings. At the very least, we need to know how many of these emails were in support or opposition of the scheme.

Responses after 12th July 2021 not quantified

- Between 12 July 2021 and 11 January 2022, 15 letters were received, and 1,315 emails received from 1,143 unique email addresses. None of these responses have been quantified (e.g. % support / oppose) and are therefore not included in the statistical reporting (i.e. the charts). Missing such a large number of consultation responses from the key data reporting is a cause for significant concern and casts doubt over the validity of the statistical evidence and the consultation process.
- In fact, the number of unique emails received across the entire consultation outweighs the number of survey responses, yet the email responses have not been quantified, which casts considerable doubt over the validity of the consultation reporting.

Analysis of consultation responses received after 12 July 2021

- Demographic and postcode information was not collected for the 1,158 unique responses received after 12 July 2021. This means that it is not possible to assess their responses based on where they live (e.g. within the QN, boundary or wider area) or whether they may or may not be from a protected characteristic. Unfortunately, these issues render the consultation feedback received from 12 July onwards meaningless in analysis terms, and the consultation has not been properly administered.

The consultation analysis is therefore unsafe.

Combining respondents from within QN with boundary road

- In the report the responses of people living on boundary roads have been combined with those living within the QN. These two groups could, and indeed are likely to have, very different opinions and experiences of the scheme, so their feedback should have been reported separately, as is the case with the traffic monitoring analysis. As it stands, we do not have a clear understanding of the opinion of those who live within the scheme or those who live on the boundary. This in turn has impacted the validity of the EqIA as this relies on analysis of the consultation data.

- This also increases the number of responses that are claimed to come from ‘within the QN’, which is reported as 12% of people living there. The actual number is likely to be far lower once boundary roads are removed. It is likely that over 90% of people living within the QN did not respond to the consultation.
- The weight of opinion has been given to the responses within the QN (38 streets including boundary roads) as opposed to the responses from 441 streets outside the QN

The analysis is therefore distorted and cannot be considered a robust evidential basis for decision making.

Misleading statements about car ownership and systematic bias in reporting

- Point 105 of the report to the decision maker categorically states that car owners are over-represented in the consultation survey. However, this claim is not grounded in evidence and is unsubstantiated. The claim is based on a misunderstanding of the difference between Census data (household data) and the consultation response data (from individual); these things are completely different.
The officers claim about car ownership (point 105) is not supported by the ITP report which specifically advises caution and states that the car ownership data is not directly comparable to respondent data (see point 2.7 and 3.6 of the ITP report). This warning has been ignored in the report to the decision maker. I also explained this issue to officers in writing before the report was published.
- At point 106, the officer report claims that “*The responses to the survey are therefore influenced by the higher proportion of car owners who participated in the survey. This should be considered in the context of a project where a key aim is to reduce the dominance of the private car.*” However, as stated above this claim is not evidenced based and goes against the advice of the consultation company and is factually wrong and highly misleading. I am concerned that the intention is of including this statement in the report could be to over-emphasise the non-car owner data in the mind of the decision maker, in order to help lead the decision maker to making a particular decision i.e., to approve making the scheme permanent. This would be a purposeful misuse of statistical evidence and officers need to explain why they have included this in the report.
- The report (incorrectly) draws attention to claimed sample bias in terms of car ownership but has not drawn the decision maker’s attention to actual evidence-based sample bias for a number of protected characteristics. For example, those with a disability are underrepresented in the survey compared to the Census and clearly view the scheme negatively, both within and outside the QN. Likewise, no attention has been drawn in the officer report to the disproportionate number of responses from White residents (who are more likely to say the scheme has had a positive impact), compared to Asian residents (who strongly feel the scheme has had a negative impact). It appears that there is a level of conscious or unconscious bias in the reporting, where sample bias is referred to where it is likely to increase the chance of the scheme being made permanent but ignored where it does not lead to this outcome.
- It would be helpful if the responses for the number of cars owned by those within and outside the LTN had been presented.

The recommendation made is therefore unsound.

Serious issues with the Equality Impact Assessment (EqIA).

The EqIA fails to deal with the consultation data properly and a number of important statistically significant differences in the data have not been addressed.

There are a number statistically significant differences which confirm that some groups with protected characteristics will be disproportionately harmed or disadvantaged by the scheme, however the issues have neither been adequately investigated or mitigated.

Ethnicity: The perceived negative impact on Asian respondents is statistically significantly higher than average and White respondents, both at an overall level and within the scheme itself. However, the EqlA does not even report this as an issue, so consequently no attempt has been made to understand the problems experienced properly in order to mitigate them.

Gender: There is a statistically significance difference in perception of the scheme by gender, with more female respondents within the scheme saying the scheme had a negative impact compared to males. The reasons for this this have not been properly addressed in the EqlA and the mitigation measures proposed are unsatisfactory and unconnected to the issues experienced.

Economic status and Income: The income data in the EqlA is out of date and significantly under-represents the proportion of low-income families and especially the proportion now claiming universal credit. Therefore the issues experienced by economically disadvantaged groups should have been given far more weight.

The consultation responses from low-income groups shows that they are statistically significantly more likely to feel that the scheme has had a negative effect on them, with a notably high proportion saying the impact has been 'very negative'. However, the EqlA has not examined the evidence to establish the reasons for this but has instead speculated about what the reasons might be, so we have no idea whether these assumptions are correct. The mitigation measures proposed are therefore meaningless without an evidenced-based understanding of the issues.

Some groups with protected characteristics are disproportionately harmed or disadvantaged by the scheme, however the issues have neither been adequately investigated or mitigated.

Issues with Traffic Monitoring data.

- **Streets missing:** The impact on a number of streets surrounding the scheme was not properly measured or in some cases measured at all (e.g. Crown Lane, Wynchgate, Queen Elizabeth's Drive, Tudor Way, Dawlish Avenue, Hoppers Road, Arnos Grove, Forestdale). The impact of the scheme on these streets is therefore unknown and no mitigation measures are set out in the report (including no attempt to understand the impact). Residents in these streets appear to have been forgotten. As a ward councillor I have received a large number of complaints about the scheme from residents living in these streets.
- **2019 comparisons:** Since 2019 there has been a reduction in traffic and an increase in cycling across London as a result of the pandemic. This means that a fall in traffic and an increase in cycling would have been recorded in the QN and across the area, even if the LTN had not been implemented. Further analysis of the data is required to understand the impact of the LTN, and the investment in it made by Enfield Council, as opposed to general trends and changes, which are unconnected to the introduction of the LTN. But this work hasn't been undertaken.
- **No Saturday analysis:** Bus data show issues on Saturday peak, yet Saturday is not included in the main analysis for traffic. This analysis should have been included and formed part of the decision-making as Southgate is a District town centre, which means we need to understand and factor in the impact on the scheme on the main trading days for the retailers, cafes, restaurants and other businesses in the high street. This work has not been undertaken.
- **Pedestrian surveys:** No pedestrian data was collected before 2021, this means that the pedestrian data collected in July 2021 and included in the report is not contextualised and therefore meaningless. This is a massive failing for a scheme designed to promote walking.

Issues with Bus data

- Includes petrol crisis data - how can it impact car data but not bus data?

- Inconclusive due to changes in travel patterns since the pandemic i.e., less passengers getting on and off means faster journey times.
- Bus data shows issues on Saturday peak – but Saturday is not even included in the main analysis - despite this being a town centre location.

The report fails to provide evidence that shows how it will mitigate the key objectives of Council's Corporate Plan

- Good homes in well-connected neighbourhoods: By blocking off roads and reducing access for people who are required to make essential medium to long distance car journeys, for health or work-related reasons, **the LTN disconnects rather than creates well-connected neighbourhoods, but no evidence that the proposed mitigation measures will address this issue is documented in the report.**
- Sustain strong and healthy communities: By dispersing traffic and pollution onto adjacent and boundary roads is harmful to residents living and working there and **the LTN undermines the objective of sustaining strong and healthy communities, but no evidence that the proposed mitigation measures will address this issue is documented in the report.**
- Build our local economy to create a thriving place: No evidence has been provided to demonstrate how the LTN will not detrimentally impact hourly-paid workers, care workers, gardeners, carers, delivery drivers, or businesses, which are required to make multiple daily medium distant journeys (e.g. estate agents). **The LTN will work against the objective to build our local economy to create a thriving place, but no evidence that the proposed mitigation measures will address this issue is documented in the report.**

(2) Outline of proposed alternative action:

Refer back to Cllr Nesil Caliskan, Leader of the Council for review of the decision.

(3) Do you believe the decision is outside the policy framework?

No

(4) If Yes, give reasons:

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Checked by Monitoring Officer for validation –

Name of Monitoring Officer:

Date: