*SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY PANEL (CALL IN MEETING)
06 OCTOBER 2011
19.15-22.10
PRESENT: Councillors: Russell Makin, (in the Chair), Miles Windsor, Nick Draper, Samantha George, Henry Nelless, John Sargeant, Judy Saunders, Philip Jones (substitute for David Chung)

ALSO PRESENT: Councillor Andrew Judge Cabinet Member for Environmental Sustainability and Regeneration. Councillor Tariq Lord Ahmad, Chris Edge, Suzanne Grocott
Chris Lee Director for Environment and Regeneration, Richard Lancaster, Mitra Dubet, Paul Walshe, Environment and Regeneration. Sharon Lauder, Legal Services
George Doherty, Peter Brett Associate, Corinna Edge, former Merton Councillor, Andrew Wakefield, local resident, Alan Rowe, local resident, William Brierly, former cabinet member

1 DECLARATIONS OF INTEREST
There were no declarations of interest

2 Apologies for Absence
Apologies for absence were received from: Councillor David Chung
Speaking on behalf of signatories Councillor Grocott explained that the Dundonald councillors first heard about the call in from the proprietors of a local Indian takeaway. She further reported that the re-introduction of the bus lane had come as a surprise because previous councillors had spent three years campaigning to have it removed. This Call-in has been raised for two main reasons:

The re-introduction of the bus lane poses a safety issue. The proposed bus lane is dangerous. Buses have to go from the bus station and cut across into the bus lane. It is dangerous for buses and for cyclists.

Councillor Grocott also felt that the consultation had been insufficient, residents in nearby Herbert Road were unaware of it. Although it was stated that information was placed on lamp posts, Cllr Grocott was unable to find it. The consultation took place over the summer when many people are on holiday. The letter sent to Transport for London in regard to the consultation was misleading.

3 Councillor Chris Edge had also requested to speak on behalf of the residents that he represents. Cllr Edge stated that his main concern was that he felt that
residents had not been properly consulted. He further reported that he was concerned that the re-introduction of the bus lane was a money making opportunity. While he commended the Cabinet member for looking for innovative ways to raise finance for the council, imposing fines on residents was not the answer. Councillor Edge expressed gratitude to Councillor Judge and Mario Lecordier (Traffic and Highways Services Manager) for agreeing to a meeting at the site of the proposed bus lane.

Councillor Edge felt that there had been poor consultation with residents. He was of the understanding that the consultation was delayed and sent an email to the Traffic and Highways Services Manager asking for clarification. No response was received he then found out that the cabinet members decision had been published. Cllr Edge was concerned that the statutory consultation had not been wide enough and the lack of response by the Traffic and Highways Services Manager to his email led him to speculate whether officers had predetermined the outcome of the consultation. Cllr Edge further reported that he accepted that as the new bus lane would have a further run up to improve space, the synchronisation of traffic lights needs to be resolved before a new bus lane could be imposed. The Panel should note that the cost of the removal of the bus lane was £17,000 the cost to re-introduce it would be £25,000 and if there is a new conservative administration it is likely to be removed again. Cllr Edge expressed further concern that not all evidence was received for this meeting.

Councillor Saunders pointed that an email sent on the 2nd June also on P154 of the agenda clearly highlights that Councillors Edge and Grocott were informed that a consultation was taking place

Councillor Edge clarified that he was first told at the Indian take away then by officers then had a site meeting with Cabinet member. Cllr Edge thought that there would be a consultation report sent to local residents for formal consultation and he was not told that this would not happen. Councillor Sargeant pointed out that it seems that ward councillors were informed that the consultation was taking place. He also queried the small number of objections by residents

Councillor Edge said that a letter had gone out to 250 residents in the immediate area, although he had not talked to all the relevant people which was why there were not more replies at this stage

Councillors Nelless, George and Windsor expressed concern that all the requested information had not been received. This was particularly in respect of:

All notes papers and correspondence in respect of preparation of

The report and the recommendations presented to the Cabinet Member for decision
SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY PANEL (CALL IN MEETING)
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on 27th May 2011

The report and recommendations presented to cabinet member for decision on 22nd August

Chris Lee Director of Environment and Regeneration stated that having just checked with the officers who would hold such information that all the available information had been provided and nothing had been withheld.

Councillor Windsor stressed that this was a concern and councillors should have been informed before the meeting that not all the information was available.

In response the Chair noted Councillor Windsor’s concern

Corinna Edge, former ward councillor was invited to address the Panel. Corinna Edge stated that as ward councillor she had received emails and letters from residents who had found it difficult to turn out of those roads and found the fines unfair. This led to a campaign to have the bus lane removed. It is also difficult for busses 163 and 164 to cut across and the bus lane should be on the right.

Alan Rowe, a local resident was also invited to address the Panel. Mr Rowe reported that he lives on Hartfield Road and sees the issues regarding the traffic on Hartfield Road everyday. Mr Rowe’s view was that the bus lane is not needed but the bus company want it. Simple solutions would include changing the traffic sequencing, placing yellow boxes at the end of Hartfield road to prevent congestion, bus stops could also be moved to reduce congestion. Mr Rowe also reported that he had seen a number of near accidents in the area.

Councillor Nelless asked Mr Rowe if he had seen the consultation, Mr Rowe reported that the first he had heard of it was when he was informed that this meeting was being held.

William Brierly, former cabinet member was invited to address the panel. Mr Brierly reported that he made the decision to remove the bus lane. This was done after lots of wide ranging consultation and taking points raised by Transport for London (TfL). Mr Brierly reported that it should be noted that they did not remove the bus lane at Wimbledon Hill, as this was the right decision to take. The bus lane at Hartfield road posed issues of danger, the camera was also making revenue of £250,000 per year which meant that it was not a good scheme. The bus lane also caused massive congestion and the council has a responsibility to all users of the road.

Councillor George stated that on page 13 at 2.5 the report stated that the bus lane was removed against the advice of officers and could Mr Brierly confirm this to be true.

Mr Brierly reported that this was incorrect and an elaboration of the facts. The officer
in charge of bus lanes did not agree to its removal, Mr Brierly stated that he did not receive a document which said do not remove the bus lane. Some stakeholders expressed disagreement during consultation. To say that the department, director said not to do this is incorrect, although there was concern about the loss of revenue.

Councillor Jones asked if Mr Brierly felt that the bus lane gave too much priority to buses. Mr Brierly confirmed that this was a reasonable summary of his position.

Councillor Windsor said that the majority of road users were using the bus lane to resolve issues around congestion not cutting across lines when turning left. Cutting left down Beula Road meant he had received fines on two occasions, this was within a short piece of bus lane and it was for reasons of safety.

Mr Brierly stated that the sheer number of fines told us that something is fundamentally wrong.

Councillor Sargent queried whether discussions with TfL had found that the bus lane and left turning configurations were particularly abnormal? Mr Brierly stated the main unique point was that it leads to Wimbledon

Councillor Draper asked if the former cabinet had considered making the affected roads dead ends. Mr Brierly stated there are a number of dilemmas to deal with as cabinet member and if we closed Hartfield road it would become more hazardous.

Councillor Tariq Lord Ahmad was invited to address the Panel. Councillor Ahmed stated that he was the cabinet member who had initiated the review of the bus lane and supported having it removed. It was looked at in terms of safety and speed and the bus lane did not work for the area. The bus lane was very short and people were fined for the minimal contravention. Traffic measures should not be introduced for money. It remains justifiable that when the bus lane was removed it was a popular decision, it lead to better flow of traffic and safety of cars. Its reintroduction is a quasi revenue measure.

George Doherty, (GD) Consultant with Peter Brett Associates addressed the Panel, Their research found that the bus lane reduces journey times. Problems with the bus lane can be resolved by changing the layout, design and condition of road surface. Lack of signalling and road carriage markings also contributed to the problem. In response to questions GD also informed the Panel that they were asked to conduct this research to consider how the bus lane could be modified and why people were moving into the bus lane. They found that a slight change to the layout would resolve issues. This includes shortening the bus lane, which would allow left turns.

Mitre Dubet, Network Improvement and Renewal Manager reported that the new layout had been taken from the Peter Brett Associates report.

Andrew Wakefield, local resident addressed the Panel, acting in a personal capacity as a resident of Hartfield Road. Mr Wakefield reported that as someone who works from home, walks and cycles along Hartfield Road on a daily basis, the main concern
is the re-introduction of a bus lane into a one way system that is being re-modelled.

Richard Lancaster Future Merton Programme Manager confirmed that as part of the Destination Wimbledon scheme, there will be changes to Wimbledon Bridge and Broadway. There are a number of road works but there has not been any re-modelling work since 2009.

Mr Wakefield asked that the bus lane be considered after the works has been completed.

Councillor Andrew Judge, Cabinet Member for Environmental Sustainability and Regeneration addressed the Panel stating that the bus lane was introduced following a Peter Brett Associates report in 2005. In 2007 Transport for London agreed to fund the recommendations by Peter Brett which would have prevented the problems of turning left into Beulah Road.

The re-introduction of the bus lane had followed due process. There are 60 buses an hour. The level of accidents as set out on page 45 of the agenda demonstrate that they are lower than average for an A road. There have been no recorded accidents as a result of the bus lane. This decision has been made in line with the Mayor of London’s transport policy as well as Merton’s own policies, which identify bus lanes as an important tool for traffic flow.

In terms of consultation, Cllr Judge reiterated that he had met with Cllr Edge at the start of the consultation period; a local resident saw Cllr Edge and thanked him for an email about the consultation proposals. Councillor Judge said that ward councillors knew about the consultation but did not make any representation. Councillor Judge further claimed that the former cabinet members claimed that due process was followed in making a decision about the bus lane but he had received evidence that it was not.

Councillor Judge circulated two emails between former cabinet members and officers in relation to the bus lane. Councillor Judge quoted from the emails and put to the Panel that this was evidence that the decision was a political one.

Councillor Judge stated that in relation to his decision to re-introduce the bus lane officer advice was taken, the bus lane was remodelled, there is no real evidence that it will increase danger or traffic congestion. The decision was taken with the views of residents who need to get to Wimbledon.

Councillor Nelless questioned the urgency of re-introducing the bus lane since the re-modelling was taking place. A local resident in the meeting had highlighted that they were not aware of the consultation. We need to put the decision on hold until it can be judged fairly.

Councillor Judge pointed out that this will not affect traffic in the Wimbledon town centre.

Councillor George stated that the cabinet report does not contain any reasons for...
how the decision was made, there has been a total reliance on the consultants report without taking into consideration that times have changed.

Chris Lee Director of Environment and Regeneration reported that re-introducing the bus lane fits in within the current policy context which gives priority to buses, GD has highlighted that it improves bus movement, safety is not affected.

Councillor George expressed concern that no weight was given to residents concerns

Mitra Dubet, Network Improvement and Renewal Manager pointed out that the department did not receive any representation from residents. There may have been complaints in relations to fines. The consultant’s report was relied on regarding design and layout.

Councillor Saunders felt that the Panel should reach a decision. Councillor Edge had sent a letter to 250 residents in regards to the meeting and only two had attended. Councillor Saunders felt confident that all stakeholders had an opportunity to air their views. Councillor Saunders moved a recommendation that the Panel support the Cabinet Member.

Councillor Saunders recommendation was seconded by Councillor Draper

Councillor Edge asked the Panel to note that this call in came about because of lack of communication about the consultation and asked that the decision be deferred until further consultation is held with residents

Councillor Windsor stated that he had concerns around anecdotal evidence and the level of consultation. Councillor Windsor highlighted that councillors need to be rigorous about reviewing decisions that are made by officers. There has been a lack of documentation, which was a cause for concern.

Councillor Nelless moved a recommendation ' to postpone the introduction of the bus lane further to completion of the road works in Wimbledon and proper level of consultation’

Councillor Nelless’s recommendation was seconded by Councillor George.

The Chair put the two motions to the Panel
That the Panel support the Cabinet Member.
Three against
Five in favour

to postpone the introduction of the bus lane further to completion of the road works in Wimbledon and proper level of consultation.

Five against
The motion to support the cabinet member was carried

Councillor George asked Councillor Judge how he came into possession of the emails that were tabled earlier at the meeting
Councillor Judge reported that they were given to him by officers and declined to name which one(s) in particular.
Councillor George asked that it be minuted that she will be seeking legal advice about the conventions for officers providing information to councillors regarding previous cabinet members.

The meeting ended at 22.10