

Merton Council - call-in request form

1. Decision to be called in: (required)

Mitcham Town Centre Regeneration Scheme (2)

2. Which of the principles of decision making in Article 13 of the constitution has not been applied? (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution - tick all that apply:

(a) proportionality (i.e. the action must be proportionate to the desired outcome);	x
(b) due consultation and the taking of professional advice from officers;	x
(c) respect for human rights and equalities;	x
(d) a presumption in favour of openness;	
(e) clarity of aims and desired outcomes;	
(f) consideration and evaluation of alternatives;	x
(g) irrelevant matters must be ignored.	

3. Desired outcome

Part 4E Section 16(f) of the constitution- select one:

(a) The Panel/Commission to refer the decision back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns.	x
(b) To refer the matter to full Council where the Commission/Panel determines that the decision is contrary to the Policy and/or Budget Framework	
(c) The Panel/Commission to decide not to refer the matter back to the decision making person or body *	
* If you select (c) please explain the purpose of calling in the decision.	

4. Evidence which demonstrates the alleged breach(es) indicated in 2 above (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution:

We appreciate that the aspiration of the Cabinet member is to revitalise Mitcham Town Centre and we fully support this objective and many of the measures which are planned. However, we note that the Cabinet member has decided to proceed with routing buses through Mitcham's Fair Green despite significant local opposition, most notably from businesses around the Fair Green.

We do not believe that due and proper consideration has been given to the alternatives to introducing a bus 'street' through the Fair Green. Nor has there been detailed evaluation of all the alternatives. Whilst the Cabinet member refers briefly to some alternative options for enhancing Mitcham town centre and attracting a greater number of more diverse shoppers, these alternatives were not consulted on. It is not clear why residents and businesses weren't invited to give their views on the alternative options and why the council's consultation has been undertaken as a 'take it or leave it' exercise.

There is considerable doubt about the robustness of the council's projections that introduction of a bus lane through the Fair Green will attract 6,000 additional shoppers. This needs to be properly considered and evaluated in public as it is fundamental to the argument presented by the Cabinet member for his decision. Fears remain that this is an outdated number that has subsequently been discounted and disproved.

Claims about lack of parking provision in Mitcham town centre as a justification for introduction of the bus lane are also erroneous. It is generally agreed that there is already sufficient town centre parking in Mitcham so this is not a relevant argument.

In terms of due consultation, there seems not to have been proper consideration of the high levels of opposition among businesses and shops in the area immediately adjacent to the Fair Green. The Mitcham Society has conducted two surveys of businesses and shops both of which showed 80% opposed to the bus lane proposal. 91 businesses recently signed an open letter to the Cabinet member opposing the bus lane but it is not clear that this strength of local feeling among the business community has been given due consideration. Meanwhile an online survey in March by the Mitcham & Morden Guardian showed 52% of respondents were opposed to the plans.

Given the high level of objections and the availability of a range of alternative measures to the bus lane, we do not believe this decision is proportionate and we ask that further consideration is given to the alternatives. This should

include in depth an analysis of the long-term economic benefits to Mitcham that could be brought about by measures such as the removal of the one-way gyratory system in conjunction with Transport for London; the relocation of bus stops to improve pedestrian access to Fair Green and London Road; and changes to road junctions to make them more pedestrian friendly.

In terms of removal of the gyratory, this decision seems to be based on short term assumptions about lack of funds and makes no reference to the capital funding that has been included in the council's capital budget for precisely this purpose ever since 2010, as was confirmed by the Cabinet member for Finance in a recent response to a written council question.

It is also unclear how this decision relates to current best practice elsewhere in the UK and beyond. There are a number of examples of places removing bus lanes such as the one proposed for Fair Green and yet this point is not addressed in the Cabinet member's decision.

In terms of respect for human rights and equalities, due consideration does not seem to have been given to the other parts of Mitcham not included within these proposals. There is considerable commercial activity along Monarch Parade and around Mitcham library yet the issues in this part of the town are not addressed. There is also minimal reference to the impact of introducing a bus lane which splits the Fair Green in two on the wellbeing and safety of specific groups such as the elderly, vulnerable residents or young people.

Finally, the Cabinet member's decision makes clear that further work is needed on some aspects of his proposals before they can be implemented and we welcome this. We agree that action is needed to improve walking, cycling and vehicle movements in and around Mitcham and to deliver a better quality environment in the town centre. However, given the serious questions raised about the specific bus lane proposal, no clear justification has been provided for why consideration of this specific part of the plan could not wait until the other measures have been fully actioned and their impact has been properly evaluated. This would mean that proposals for a bus lane could still be considered at a future date if deemed necessary, and provided a cohesive and comprehensive justification of its value to the regeneration of Mitcham town centre could be provided.

5. Documents requested

All papers provided to the Street Management Advisory Committee (SMAC) following this formal consultation and the previous one

All responses to this consultation and the previous one relating to the bus lane proposal

All emails and associated documentation relating to the bus lane proposal provided to the Cabinet Member to support the making of this decision

The detailed analysis on the impact of the bus lane on footfall in Mitcham town centre

All correspondence between the Cabinet Member and council officers, relevant ward councillors and residents on the Mitcham Town Centre Regeneration Scheme

6. Witnesses requested

Representatives of the 91 local Fair Green retail shops and businesses who signed the recent open letter opposing the bus lane proposal

John Mansfield, Chairman of the Mitcham Society

Lucy Hedden, Mitcham Society

Cllr Andrew Judge, Cabinet Member for Environmental Sustainability and Regeneration

Chris Lee, Director for Environment and Regeneration

Mario Lecordier, Traffic and Highways Services Manager

7. Signed (not required if sent by email): Cllrs Dean, Groves, Howard and Tindle

8. Notes

Call-ins must be supported by at least three members of the Council (Part 4E Section 16(c)(a)(i))

The call in form and supporting requests must be received by 12 Noon on the third working day following the publication of the decision (Part 4E Section 16(c)(a)(iii)).

The form and/or supporting requests must be sent **EITHER** by email from a Councillor's email account (no signature required) to

democratic.services@merton.gov.uk **OR** as a signed paper copy (Part 4E Section 16(c)(a)(iv)) to the Assistant Head of Democracy, 5th floor, Civic Centre, London Road, Morden SM4 5DX.

For further information or advice contact the Assistant Head of Democracy on 020 8545 3361