

Appendix B1

Merton Council - call-in request LIBERAL DEMOCRAT GROUP

1. Decision to be called in: (required)

Public health, air quality and sustainable transport – a strategic approach to parking charges 4

1. That the responses made during the formal consultation process alongside any further references and considerations raised by the Sustainable Communities Overview and Scrutiny Panel be considered.
2. That further to the consultation process, the proposed charges set out in appendix 7 of the Cabinet report, including the following amendments, be agreed:
 - i. Controlled Parking Zones: VNE, VNS, VN, VQ, VSW, VSW1, and VSW2, be re-categorised from Tier 1 to Tier 2 (as set out in Appendices 7 d & e of the Cabinet report)
 - ii. That off street car parking charges in Queens Road Wimbledon and St Georges car park are reduced from the current £3 flat rate fee from 6.00pm to 11 pm to a £2 flat fee (as set out in Appendix 7 b of the Cabinet report).
 - iii. The proposed charges for on street parking in appendix 7 (a) of the Cabinet report are approved.
 - iv. The proposed charges for off street parking in appendix 7 (b) of the Cabinet report are approved.
 - v. The proposed charges for Permits set out in appendix 7 (c-f) of the Cabinet report are approved.
3. That authority be delegated to the Director of Environment and Regeneration, in consultation with the Cabinet Member for Regeneration, Housing and Transport, to finalise any operational matters in relation to the implementation of the proposals set out in the Cabinet report.
4. That the changes are introduced with effect from 1st September 2019, or as soon as practicable thereafter.

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	x
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desired outcome);	
(b) due consultation and the taking of professional advice from officers;	
(c) respect for human rights and equalities;	x
(d) a presumption in favour of openness;	
(e) clarity of aims and desired outcomes;	x
(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:

With regards to paras 2(a), (e) and (f):

The logic of the administration's proposals is that they will "deliver reduced car ownership and usage across the borough" – that's the mechanism by which these proposals are supposed to lead to less air pollution.

As noted at the Sustainable Communities Scrutiny Panel on 27 June:

- No modelling has been carried out in relation to how many vehicles people will give up, nor how many fewer car trips there might be, as a result of these proposals. Nor the ratio between the two.
- No specific evidence has been presented to cabinet that increases in residents' parking charges result in reduced car ownership.
- There was an indication at Scrutiny that there was no specific evidence with regards to the effectiveness of the pricing model chosen.

Alternative courses of action have not been sufficiently identified and examined. This is highlighted by the fact that the administration itself has a review into the diesel levy and emissions based charges outstanding, and that the air quality action plan recommends emissions based charging.

With regards to para 2(c):

As noted at the Sustainable Communities Scrutiny Panel on 27 June:

- No equality groups have been directly consulted with, with regards to the proposals or the mitigation measures set out in the 3 Equality Assessments. This seems contrary to the Equality Assessment Flowchart, which requires officers to "Consult appropriate stakeholders as part of the review" when they are carrying out the review under qu 8 "Draw up a list of areas of concern. Review ways to remove or minimise the negative impact/discrimination".
- From conversations with officers concerning the equality assessments, there is an indication that part of Equality Assessment 2 (presented to the Scrutiny Panel) has been changed to better reflect officers' views on the areas of concern, but this may have changed the emphasis of the risks as far as councillors are concerned.

5. Documents requested

Consultation materials sent to equality group stakeholders

Evidence relied on to formulate policy

Consideration of alternatives

6. Witnesses requested

Appropriate cabinet member

Relevant officers

Representatives of appropriate stakeholders to discuss the mitigation of risks identified in the Equality Assessment

7. Signed (not required if sent by email):

Councillor Anthony Fairclough, Councillor Eloise Bailey and Councillor Paul Kohler confirmed signatories by email

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 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) **OR** as a signed paper copy
(Part 4E Section 16(c)(a)(iv)).

For further information or advice contact the Democratic Services Manager on 020 8545 3361