

## Merton Council - call-in request form      CONSERVATIVE GROUP

**1. Decision to be called in: (required)**

<i>Public health, air quality and sustainable transport - a strategic approach to parking charges</i>
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**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);	<input checked="" type="checkbox"/>
(b) due consultation and the taking of professional advice from officers;	<input type="checkbox"/>
(c) respect for human rights and equalities;	<input checked="" type="checkbox"/>
(d) a presumption in favour of openness;	<input checked="" type="checkbox"/>
(e) clarity of aims and desired outcomes;	<input checked="" type="checkbox"/>
(f) consideration and evaluation of alternatives;	<input checked="" type="checkbox"/>
(g) irrelevant matters must be ignored.	<input type="checkbox"/>

**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.	<input checked="" type="checkbox"/>
(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	<input type="checkbox"/>
(c) The Panel/Commission to decide not to refer the matter back to the decision making person or body *	<input type="checkbox"/>
* If you select (c) please explain the purpose of calling in the decision.	<input type="checkbox"/>

#### 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 – the signatories – are in favour of air quality measures that will have a proven ability to reduce the levels of harmful emission in Merton.

This decision to increase the cost of CPZ permits has not been an open decision informed by evidence, but one taken behind closed doors, without proper scrutiny, and without any consideration of the alternatives.

We fully recognise the seriousness of the air pollution problem in Merton and would wish to see this urgently addressed. However the blunt instrument of raising the cost of CPZ permits is not backed up by sufficient evidence to allow us to support the proposals. The proposals also discriminate against residents of Wimbledon which has less pollution than the problem areas in the borough in Mitcham and Morden.

##### **(a) proportionality (i.e. the action must be proportionate to the desired outcome);**

The decision to proceed with the CPZ and parking bay increase is disproportionate to the desired outcome. The claimed outcome that a reduction in emissions will occur as residents will switch away from private vehicles is not supported by credible evidence. The only credible assertion in the **Public health, air quality and sustainable transport - a strategic approach to parking charges** is that the revenue received by the council will rise by almost £2,000,000 across the borough.

The decision does not offer any practical solutions to deal with the pollution hot spots in Mitcham and Morden and nor does it offer support for low emission bus zones or other air quality mitigation measures that have been shown to work.

This policy as proposed is a blunt instrument which doesn't appear necessarily to target the behaviour which is causing the borough's air pollution problems. The levy simply penalises residents who live in a CPZ regardless of how much they actually drive their vehicle.

##### **(c) respect for human rights and equalities;**

No due regard has been given as to the impact this would have on the elderly, it was acknowledged by the cabinet member and the director that specific elderly welfare groups such as AgeUK Merton, the Wimbledon Guild etc. have not been contacted or made duly aware of these proposals. Unlike the direct contact made by the Council to the business community and some residents associations.

Page 13 of the revised and altered EIA document shows that 50% of over 65s have some form of limitation to do daily activities. However this assessment then goes on to claim there is no negative impact on the elderly, and casually asserts that the proposed parking fees will be positive. We are not sure what evidence they have to back this up. Many require carers who will not be able to afford to pay large fees in every CPZ they visit. The director made an off the cuff remark at cabinet about carers being able to get a special permit but there is little to no detail on the website to advise on this or information that could be given to the elderly requiring carers.

The same impact assessment on page 16 claims the disability groups would receive a positive impact because of this proposal. But simultaneously states there

could be a negative impact on the disabled. It refers back to 'Age' and in that section it refers to 'Disability' in a circular loop without once outlining or acknowledging what the impact on these groups would be.

We would expect the council to contact and liaise with such groups as Merton CIL, Merton Vision etc. to assess the true impacts on these communities before making assertions of fact.

A further group, pregnancy and maternity, has not been factored in as to why residents at this stage of life wish to have a car. Use of a car is often the only way to get to the hospital as public transport could be difficult to access when heavily pregnant or with young child. The lack of step free access to railways and even buses does not help. The fact that it is difficult to reach the hospitals. The council needs to recognise that this group would be penalised by their need for a car. Also they are less likely to be able to hire vehicles whilst at this phase. Car Clubs are not the right solution for this group.

The council with this policy are actively discriminating against residents in Mitcham because their policy does nothing to help improve air quality or public health. The report only seeks to improve public health in areas of the borough already acknowledged to have better health levels. Your policy will condemn residents in Mitcham to worse air quality and will do nothing to help bridge the gap. In fact you are making it worse.

#### **(d) a presumption in favour of openness;**

This decision to increase the cost of CPZ permits has been taken and put to a consultation that will not have a bearing on the outcome of the decision. The current Cabinet Member has publicly stated at the Wimbledon Community Forum in March that 'it is a consultation not a referendum'.

Over 3,000 residents, numerous resident associations and many local businesses commented negatively during the consultation. No consideration has been given to their responses which support scrapping the charges. The council has therefore not listened to any group who have decided to engage with the consultation and has therefore displayed a close minded approach, and has shown that the decision has not been made through an open process of engagement.

The decision has been sent through the scrutiny process even though the decision has already been made in the Leader's Strategy Group and Cabinet in December. This was shown in the sustainable community Overview and Scrutiny Panel papers in January which showed the inclusion of the Parking Charges increase in the Budget papers which listed the £1.9 million charge increase per annum.

Following the publication of the responses to the consultation, it is clear that the perception of residents is that this decision has been taken predominantly in order to generate revenue for the council.

#### **(e) clarity of aims and desired outcomes**

The Cabinet Member says that the increase is about improving public health and reducing air pollution across the whole of the borough. The report details pollution hot spots, of which there are a few locations in Wimbledon, however many of the serious levels of pollution are in Mitcham and Morden, these are outside of the scope of the increased charges, and therefore the rationale that air quality will be improved by residents shifting away from car usage will not occur in some of the

worst affected areas of the borough.

We do not see how using a hike in parking charges will actually achieve the stated aim of improving air quality. The proposed tax takes no account of the through traffic from other boroughs, industrial users, busses, HGVs and taxis. Therefore it is hard to conclude how increasing parking charges will materially make a difference to air quality, and the report does not clearly make this link and is not backed up with credible evidence.

We acknowledge that forcing people out of their cars leaves them with little choice but to use public transport, or walk or cycle. However, this will not be applied to large parts of Mitcham where the parking fees are lower or non-existent. The proposed charges will not help Mitcham health levels to improve which your own report has stated is far worse than Wimbledon.

It appears to any casual reader of the report that the actual desired outcome is to achieve a budget gain to close a gap in the council's finances.

The report does not make any real display of what desired outcomes would be other than trying to reduce the number of permits issued. There are no specific measures to define what reductions of emission are aimed for, what metrics on increased public transport use, and no indication of what metrics will be used to measure the increase in public health across the borough.

The revenue that will be received all just appears to go in the general funds of the E&R department to spend on whatever transport or environmental items it determines. The report should have set down precisely what anti-pollution measures would be implemented with this additional revenue, i.e. new tree planting, cycle and walking infrastructure improvements, pollution abatement outside key school sites etc.

#### **(f) consideration and evaluation of alternatives;**

No significant thought or effort seems to have been given to alternatives. There are other areas the council could focus on to bring down high levels of air pollution, instead of placing an additional burden on some residents.

This appears to be a single-minded exercise to raise extra income with no specific alternative having been tested or considered.

There is no explanation of how this solution came about, was it even in the labour manifesto at last year's council election and what other alternatives or ideas did the cabinet consider or not? Before settling on this solution what choice of options were there, or were they dismissed due to not providing the level of revenue needed to fill the budget gap.

We believe the council should fully investigate other options that are less of a blunt tool and will have a greater impact on the air pollution issues facing the borough before confirming this decision hence the reason for the call in.

## **5. Documents requested**

All papers provided to the Director of Environment and Regeneration/Director of Corporate Services/ and relevant Cabinet Members prior to, during and subsequent to the decision making process on parking charges increase.

All emails, reports and associated documentation relating to the decision on parking charges provided to the relevant members, Leader of the Council,

Chief Executive, Director of Environment and Regeneration, Director of Corporate Services and other council officers.

Meeting notes of all meetings between officers / Cabinet Members and any third parties on the parking charges increase.

Any correspondence between the council and organisations lobbying on the parking charges increase.

The Equality Impact Assessment (or any other equalities analysis carried out) in relation to the parking charges increase.

The risk analysis conducted in relation to the parking charges increase.

Detailed financial analysis of the parking charges increase, and in particular the impact on council revenue over the medium term.

## **6. Witnesses requested**

**Cllr Martin Whelton, Cabinet Member for Regeneration, Parking and Transport**

**Cllr Tobin Byers Cabinet Member for Adult Social Care, Health and the Environment**

**Chris Lee, Director of Environment and Regeneration, LB Merton**

**Hannah Doody Director of Community and Housing, LB Merton**

**Dagmar Zeuner Director of Public Health, LB Merton**

**Paul Evans, Assistant Director of Corporate Government , LB Merton**

**Ben Stephens, Head of Parking Services, LB Merton**

**Jason Andrews Environmental Health Pollution Manager (Air Quality), LB Merton**

**Representative of Wimbledon Union of Residents' Associations (WURA)**

**Sally Gibbons, Chair of the Edge Hill Residents' Association**

**Representatives of The Alliance of British Drivers; the RAC Foundation; and the AA**

**Raynes Park West Wimbledon Residents Association**

**St Johns Area Residents association**

**Love Wimbledon**

**The Wimbledon East Hillside Resident Association (WEHRA)**

**South Ridgeway Residents Association**

**Wimbledon Park Residents Association**

**Battles Area Residents Association**

**The Wimbledon Society**

**North West Wimbledon Residents Association**

**Apostles Residents Association**

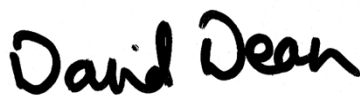
**Residents Association of West Wimbledon**

**AgeUK Merton**

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



**Cllr Daniel Holden**



**Cllr David Dean**



**Cllr Nigel Benbow**

**8. Notes – see part 4E section 16 of the constitution**

Call-ins must be supported by at least three members of the Council.

The call in form and supporting requests must be received by 12 Noon on the third working day following the publication of the decision.

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](mailto:democratic.services@merton.gov.uk)
- **OR** as a signed paper copy to the Head of Democracy Services, 7<sup>th</sup> floor, Civic Centre, London Road, Morden SM4 5DX.

For further information or advice contact the Head of Democracy Services on

020 8545 3864

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