
Decision Maker: ENVIRONMENT AND COMMUNITY SERVICES
POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Friday 15 July 2022

Decision Type: Non-Urgent Non-Executive Non-Key

Title: CALL IN: REVIEW OF SCHOOL STREETS

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Chief Officer: Tasnim Shawkat, Director of Corporate Services and Governance

Ward: All

1. Reason for decision/report and options

- 1.1 On 24th June 2022, after pre-decision scrutiny by this Committee at its meeting on 21st June 2022, the Portfolio Holder for Transport, Highways and Road Safety made a decision on the Review of School Streets.
- 1.2 The Portfolio Holder's decision has been called in by two groups of Councillors – by Councillors Jeal, Bance, Igoe, Kennedy-Brooks, King, McPartlan and Wiffen, and by Councillors Ireland, Casey, Connolly, Ross and Webber. The grounds for each of the two call-ins are set out in section 3 of the report. This Committee is asked consider the grounds of the call-ins and decide how to respond. The options are to take no further action, in which case the Portfolio holder's decision stands and can be implemented, or to refer some or all of the decision to the Executive for re-consideration. The Executive will then need to consider the matter, but can still decide to support the original decision if it still considers that it is correct.

2. **RECOMMENDATIONS**

The Committee is recommended to consider the grounds of the two call-ins and either –

(i) Take no further action on the call-in (meaning that the decision stands and can be implemented); or,

(ii) Refer some or all of the decision to the Executive, giving reasons why it should be reconsidered.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Beneficial in respect to air quality and sustainable transport choices. Special arrangements are made to allow disabled drivers/passengers to access School Streets.
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Transformation Policy

1. Policy Status: Policy on School Streets
 2. Making Bromley Even Better Priority (delete as appropriate):
 - (1) For children and young People to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
 - (4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
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Financial

1. Cost of proposal: Estimated Cost: Each new scheme would require a Traffic Management Order, surveys, signs and removable barriers at a cost of around £2k per school.
 2. Ongoing costs: See attached report
 3. Budget head/performance centre: LIP Capital Programme
 4. Total current budget for this head: £196k LIP funding plus £353k revenue budget for Traffic and Road Safety.
 5. Source of funding: TfL LIP Grant and existing revenue budget
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Personnel

1. Number of staff (current and additional): Existing staff resources.
 2. If from existing staff resources, number of staff hours: 0.25fte
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Legal

1. Legal Requirement: Non-Statutory - Government Guidance
 2. Call-in: The decision has already been called in.
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Procurement

1. Summary of Procurement Implications: Signs and barriers would be procured through the Council's term contract with Riney.
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Property

1. Not Applicable
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Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: See attached report
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Customer Impact

1. Estimated number of users or customers (current and projected): Local Residents and visitors
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: See attached report.

3. COMMENTARY

- 3.1 At this Committee's meeting on 21st June 2022, a report reviewing School Streets was considered. Following the meeting, the Portfolio Holder for Transport, Highways and Road Safety, Cllr Nicholas Bennett JP, issued a decision on 24th June 2022 based on the Committee's recommendation. Two call-ins were then received, and the decision is currently suspended pending consideration by this Committee and potential referral to the Executive.
- 3.2 The first call-in has been received from members of the Labour group – Councillors Simon Jeal, Kathy Bance MBE, Alisa Igoe, Kevin Kennedy-Brooks, Josh King, Tony McPartlan and Rebecca Wiffen. The grounds of the call-in are -
1. That the Portfolio Holder's decision appears to be to be contrary to Council policy, as set out in the Local Implementation Plan (LIP 3) which was agreed and approved by the Mayor of London. As such, we ask the Council's Monitoring Officer to provide a view on whether the decision could be considered contrary to Council policy and if so, if the intention was to change the policy agreed within the LIP, whether the correct process and adequate consultation with all relevant stakeholders (including the Mayor of London) has been followed.
 2. That complete and effective consultation regarding the decision has not been carried out, on the basis that (a) not all schools were effectively consulted on the initial plans to implement school streets, and (b) the context and timing of the initial consultation, during the early phase of the pandemic and a period in which schools faced significant other pressures due to COVID 19 and traffic patterns were significantly lower due to the pandemic, means that it is no longer an effective indicator of whether schools would wish to implement school streets now - as such, a further re-consultation of schools should have been carried out before the decision was taken and all schools should now be asked whether they consider a school street would be effective in achieving the Council's stated objectives.
 3. Given the low number of schools in the borough that have continued to operate school streets in the borough - that the findings as set out in the report leading to the decision and whether the overall objectives of the policy have been/could be achieved cannot be reasonably and fairly assessed only from considering currently operating school streets in Bromley, and the council should therefore consider as part of this decision 1. The experience of other boroughs/councils which have continued to operate school streets in higher numbers, and what results they have achieved in terms of active travel increase, traffic and pollution reduction, 2. Evidence from Bromley schools which have ceased or not implemented school streets, to consider whether traffic/pollution has increased on those roads without the use of school streets.
- 3.3 The first ground set out above refers to the decision being contrary to Council policy and therefore there being a need for adequate consultation before the decision was taken. However, the Monitoring Officer's view is that these are matters within the scope of Member decision; the Local Implementation Plan (LIP) refers to the consideration of School Streets, but nothing in the current decision is necessarily contrary to the LIP or wider Council policy.
- 3.4 The second call-in has been received from members of the Liberal Democrat group – Councillors Julie Ireland, Graeme Casey, Will Conolly, Chloe-Jane Ross and Sam Webber. The grounds for the call in are that the decision is contrary to one of the Council's key objectives, i.e. the ambition for our children to "thrive and flourish". School Streets help children to thrive on four grounds:
- Safer Roads leading to lower casualty figures

- Improved Air Quality
- Encourages Active Travel
- Helps in the fight against childhood obesity.

3.5 When considering any call-in, a PDS Committee should allow those Councillors requesting the call-in the opportunity to make their case, and allow the Portfolio Holder an opportunity to respond. The PDS Committee can then debate the matter and come to a conclusion. The two main options before a PDS Committee when it considers a call-in are –

- (i) To take no further action on the call-in (in which case the decision may be implemented), or
- (ii) To refer the decision to the Executive giving reasons why it should be re-considered.

In exceptional circumstances, a decision may be referred to full Council for consideration, but only where the Committee believes, on appropriate officer advice, that there is an intention to take action that is contrary to law or the policy and budget framework of the borough. This does not apply in this case.

4. Appendices

4.1 The following documents are attached as appendices –

Appendix A: Decision Statement dated 24 June 2022

Appendix B: Draft minutes of the Environment and Community Services PDS Committee meeting on 21st June 2022

Appendix C: Report to Environment and Community Services PDS Committee meeting on 21st June 2022

Non-Applicable Headings:	Impact on vulnerable adults and children/Policy/Finance/Personnel/Legal/Procurement/Property/Carbon Reduction/Customers/Ward Councillors
Background Documents: (Access via Contact Officer)	See attached report.