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| Meeting | Business Management Overview & Scrutiny Committee |
| Date | 7 October 2013 |
| Subject | WalkSafeN14 Petition |
| Report of Summary | Scrutiny Office This report provides Members with information relating to a petition signed by 2,365 residents submitted to the Council |

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| Officer Contributors | Andrew Charlwood, Overview & Scrutiny Manager Abigail Mendy, Overview & Scrutiny Officer |
| Status (public or exempt) | Public |
| Wards Affected | Brunswick Park |
| Function of | Business Management Overview and Scrutiny Committee |
| Enclosures | None |
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1. RECOMMENDATIONS

- 1.1 That the Committee consider the petition received by the Council in relation to the N14 area, receive representations from the Cabinet Member and Chief Officer that have been called to give account with regard to the issues raised and determine an appropriate course of action (in accordance with the actions available to the Committee as detailed in section 8.3 of this report).

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Council, 15 April 2013, Report of the Constitution, Ethics and Probity Committee (Constitution Review) – Council adopted a revised petition scheme as part of the Constitution Review.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Overview and Scrutiny Committees, Panels and Task and Finish Groups must ensure that the work of Scrutiny is reflective of the Council's priorities.
- 3.2 The three key priorities set out in the 2013-16 Corporate Plan are: –
- Supporting families and individuals that need it – promoting independence, learning and wellbeing,
 - Improving the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and study,
 - Promoting responsible growth, development and success across the borough.

4. RISK MANAGEMENT ISSUES

- 4.1 Failure to deal with petitions received from members of the public in a timely way and in accordance with the provisions of the Council's Constitution carries a risk of challenge for the authority and could damage its reputation.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Pursuant to the Equality Act 2010 ("the Act"), the council, in the exercise of its functions, has to have 'due regard' to: (i) eliminating unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (ii) advancing equality of opportunity between those with a relevant protected characteristic and those without; and (iii) fostering good relations between those with a relevant protected characteristics and those without. The relevant protected characteristics are age, race, disability, gender reassignment, pregnancy, and maternity, religion or belief, sex and sexual orientation. The 'protected characteristics' also include marriage. The duty also covers civil partnership, but to a limited extent.

- 5.2 In addition to the Terms of Reference of the Committee, and in so far as relating to matters within its remit, the role of the Committee is to perform the Overview and Scrutiny role in relation to:
- The Council's leadership role in relation to diversity and inclusiveness; and
 - The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 None in the context of this report.

7. LEGAL ISSUES

- 7.1 The Local Democracy, Economic Development and Construction Act 2009 introduced a requirement for the Council to have a petition scheme and to provide an e-petition system. The Localism Act 2011 revoked the requirement for local authorities to have a petition scheme and e-petition system.
- 7.2 Following implementation of the Localism Act 2011, the Council have revised their petition scheme (adopted by Council in April 2013) and the detailed scheme is set out in Section 6 of the Public Participation and Engagement section in the Council's Constitution.

8. CONSTITUTIONAL POWERS

- 8.1 The scope of the Overview & Scrutiny Committees is contained within Part 2, Article 6 of the Council's Constitution.
- 8.2 The Terms of Reference of the Overview & Scrutiny Committees are set out in the Overview and Scrutiny Procedure Rules (Part 4 of the Constitution).
- 8.3 The Council Constitution, Part4, Section 4, Public Participation and Engagement – paragraph 6.9 provides that:
- “Petitions which receive 2,000 signatures and over but less than 7,000 will be considered at the next available meeting of the Business Management Overview and Scrutiny Committee. Petitions are required to be received 15 days before the Committee meeting, and only one petition will normally be heard per meeting. The Committee Chairman will request that the relevant Cabinet Member and Chief Officer attend the meeting to be called to give account with regard to the issues raised. Details of the procedure to be followed at the meeting and the actions available to the Committee are set out below:
- i) Lead Petitioner is given five minutes to present the petition;
 - ii) Committee Members have an opportunity to ask questions of the Lead Petitioner;

- iii) Cabinet Member and Chief Officer respond to the issues raised in the petition;
- iv) Committee Members ask questions of the Cabinet Member and Chief Officer;
- v) The Committee will then consider the issues raised and the responses received and take one of the following actions:
 - Take no action
 - Note the petition
 - Make representations to the relevant Cabinet Member and Chief Officer on the issue(s) raised in the petition, detailing the Committee's view on the issue(s) and a recommended course of action. Such a representation requires a formal response to the Committee Chairman and Lead Petitioner within 20 working days
 - Instruct an officer to prepare a report for a future meeting of the Committee on the issues raised
 - Commission a committee report on the issue(s)
 - Commission a Task and Finish Group or Panel to consider the issue(s)"

9. BACKGROUND INFORMATION

- 9.1 The petition submitted to the Council is titled 'WalkSafeN14' and includes the following statement:

"We the undersigned petition Barnet Council to ensure greater pedestrian safety in the Osidge area of Barnet along the route of Hampden Way, Chase Way, Arlington Road, Cecil Road and Burleigh Gardens, N14"

- 9.2 The following additional information has been submitted with the petition:

"Action needed:

1. Safe crossing on Hampden Way between junctions with Chase Way and Summit Way
2. Safe crossing on Chase Way between Cowper Road and Burleigh Gardens
3. Reduce speed limit to 20mph on Chase Way
4. Reduce speed limit to 20mph on Arlington Road
5. Reduce speed limit to 20mph on Burleigh Gardens
6. Reduce speed limit to 20mph on Cecil Road
7. Double yellow lines on all road junctions in the catchment area of Osidge School.
8. Better enforcement of parking regulations, particularly at start and end of the school day.

WalkSafe N14 has been set up by a group of local parents and residents to ask for road safety measures from Barnet Council.

Please show your support by signing our petition

Thank you.”

- 9.3 Total signatures, as taken from a combination of one paper petition (with 2076 signatures) and an e-petition (239 signatures), as of 12 July 2013. The paper petition and the e-petition have identical wording and are, therefore, considered as a single petition.
- 9.4 The Committee will follow the format prescribed by the Public Participation and Engagement rules as detailed in Section 8.3 above.
- 9.5 The Cabinet Member for Environment and the responsible officers have been invited to attend the Committee meeting to respond to the issues raised in the petition.

10. LIST OF BACKGROUND PAPERS

- 10.1 None.

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| Cleared by Finance (Officer's initials) | JH/AD |
| Cleared by Legal (Officer's initials) | PM |