

	<h2>Environment Committee</h2> <h3>13 September 2018</h3>
Title	Member’s Item Cllr Alan Schneiderman – North Finchley CPZ Cllr Geof Cook - Fixed Penalty Notice process – fly tipping
Report of	Head of Governance
Wards	All
Status	Public
Enclosures	None
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Summary

The report informs the Environment Committee of Member’s Item and requests instructions from the Committee.

Recommendations

1. That the Environment Committee’s instructions in relation to this Member’s item are requested.

1. WHY THIS REPORT IS NEEDED

- 1.1 Members of the Committee have requested that the items tabled below are submitted to the Environment Committee for considering and determination. The Environment Committee are requested to provide instructions to Officers of the Council as recommended.

Name of Councillor	Member's Item
Alan Schneiderman	<p>In response to the high level of outrage (as predicted by ward councillors) from residents at the changes to the operative hours of the Controlled Parking Zone (CPZ) in a large part of North Finchley being imposed at short notice without any consultation, I propose that the Environment Committee Chairman and Senior Officers convene and attend an early public meeting to hear at first hand the serious disadvantages which include:</p> <ol style="list-style-type: none">1) The lack of any measure in the change to protect residents of Highwood Avenue, Limes Avenue, Frederick's Place and surrounding neighbourhood from parking on Sundays by residents of other parts of the North Finchley CPZ attending St Barnabas Church at Solar House despite a s106 payment being made by the church to fund a CPZ review and informal consideration involving officers, the church and residents about the desirability of a zone-within-a-zone.2) The requirement for residents of areas further from the church, such as Lynton Avenue, Avenue Road and the eastern end of Mayfield Avenue, to buy visitor permits at their own expense for visitors at additional times including Sundays.3) The impossibility of residents of certain flats on the High Road, such as Hurley Court, from having visitors park anywhere near their homes at any reasonable time because they are ineligible to purchase visitor parking permits under their planning permission. <p>The use of the "experimental" CPZ change procedure, avoiding the need for public consultation, appears to be a consequence of the Council's failure to initiate a public consultation in a timely fashion, it is not appropriate for such a significant change and it follows repeated refusals by the administration to respond to residents' requests for a review of the whole North Finchley CPZ. The situation has been</p>

	caused by the Council and it requires urgent action.
Geof Cooke	<p>I propose that there be an urgent review, and report back to the next meeting of the Environment committee, of the terms of the contract with NSL to issue £400 fixed penalty notices for alleged fly tipping. All of the money received for such "offences" is retained by NSL and there is no legal definition of fly tipping or any requirement for the penalty to be commensurate with the "offence". Therefore the contract gives NSL no commercial incentive to invest resources in dealing with serious offences that are commonly regarded as fly tipping but instead to go after easy targets such as residents putting out cardboard packaging from deliveries to their home address next to but not within their blue recycling bins intending that it be collected by the Council. NSL even has an incentive to focus their patrols on streets where a blue bin collection is due that day and to do so before the collection staff arrive.</p> <p>There is no appeal short of going to court and risking a criminal record. Those who have paid the fixed penalty under that pressure just for trying to be good citizens and participate in the Council's recycling scheme should have their money refunded.</p> <p>I ask that this review looks at incorporating an appeal process and a policy to protect residents who are legitimately trying to recycle.</p>

2. REASONS FOR RECOMMENDATIONS

- 2.1 No recommendations have been made. The Committee are therefore requested to give consideration and provide instruction.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Not applicable.

4. POST DECISION IMPLEMENTATION

- 4.1 Post decision implementation will depend on the decision taken by the Committee.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 As and when issues raised through a Member's Item are progressed, they will need to be evaluated against the Corporate Plan and other relevant policies.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT,

Property, Sustainability)

5.2.1 None in the context of this report.

5.3 Legal and Constitutional References

5.3.1 A Member (including Members appointed as substitutes by Council) will be permitted to have one matter only (with no sub-items) on the agenda for a meeting of a committee or Sub-Committee on which s/he serves. The matter must be relevant to the terms of reference of the committee.

5.3.2 The referral of a motion from Full Council to a committee will not count as a Member's Item for the purposes of this rule.

5.4 Risk Management

5.4.1 None in the context of this report.

5.5 Equalities and Diversity

5.5.1 Members' Items allow Members of a Committee to bring a wide range of issues to the attention of a Committee in accordance with the Council's Constitution. All of these issues must be considered for their equalities and diversity implications.

5.6 Consultation and Engagement

5.6.1 None in the context of this report.

6. BACKGROUND PAPERS

6.1 None.