

Appendix A

## London Borough of Sutton

### Under Standing Order 8.13

#### **Questions asked by Councillor Tom Drummond to Councillor Jayne McCoy, Chair of the Housing, Economy & Business Committee**

1. Have you spoken to Council Officers about starting discussions regarding issuing a s.215 Town and Country Planning Act order against Home Group in relation to Victoria House?
2. Have you considered early demolition of Victoria House as a viable option? If so, have officers been briefed to investigate this and what progress has been made?
3. What other alternative mechanisms have been investigated in order to expedite the development of the Victoria House site?
4. What do you deem to be an unacceptable time scale for Home Group in regards to demolition of the current building on the Victoria House site?

#### **Response by Councillor Jayne McCoy**

I was pleased to see Cllr Drummond, along with other ward councillors and resident representatives, participate in the independent Design Review Panel held on 23 April 2020 to consider the latest proposals put forward by Home Group for the Victoria House site.

We were all agreed, including the Design Review Team, that there was still some considerable way to go to achieve a satisfactory scheme. However as stated in the Design Review Panel report, 'A proposal coming before design review at a stage where there are still elements to be progressed and decisions to be made, as is the case here, means that there is time to make significant improvements'.

The involvement of resident representatives at these very early pre-application stages, including two workshops and attending the Design Review Panel are unprecedented, and demonstrate a willingness by Home Group to take account of the views of local residents in their plans for the site.

As Cllr Drummond is aware, there has been significant pressure brought by residents, councillors and officers for early demolition of Victoria House. However, in response Home Group provided a clear statement that they assessed the financial risks as too great and that they needed the certainty of planning permission before they could proceed with demolition.

A s215 notice is a legal process and the advice received is that such a notice would be open to challenge whilst there is active developer engagement with the planning process. Officers continue pressing Home Group to improve the exterior screening of the building and maintain the site in an acceptable manner during coming months.

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Home Group is now being encouraged to submit a comprehensive timetable of when the proposed redevelopment will come forward.

An alternative mechanism being proposed is for Home Group to enter into a Planning Performance Agreement (PPA) which agrees key dates for both the applicants and planning officers to achieve key milestones in the planning process. This will provide greater clarity and give all parties assurance in moving forward with the redevelopment of the site.

Deviation from agreed timetables, or viability assessments demonstrating development of the site is financially unviable, would be the trigger for a reassessment of the legal position regarding the serving of a s215 notice.

**Question asked by Councillor James McDermott- Hill to Councillor Jayne McCoy, Chair of the Housing, Economy & Business Committee**

Following your confirmation of a Building Control site visit to Victoria House; in the event of the site being found to be unsafe or dangerous, will you invoke the powers available to this Local Authority under the Building Act 1984, specifically the powers invested under sections 77 and 79 of that Act, or any such further section under the Building Act that allows for either repair, restoration or a demolition to take place on that site?

**Response by Councillor Jayne McCoy**

Building Control are keeping the site under review. The most recent visit (25 June) does not indicate that the building is dangerous or insufficient condition to trigger a dangerous structure notice. Should the situation deteriorate then Building Control officers have the necessary powers to take appropriate action under the relevant legislation.

**Questions asked by Councillor Neil Garratt to Councillor Marian James, Chair of the People Committee**

On Tuesday 30 June 2020 at the Sutton Shareholdings Board meeting there was discussion about a meeting of the Cognus B Shareholders which took place in March 2020, concerning the future plans for the Council's Cognus education services company. Could I ask the Chair of the People Committee:

1. When did she become aware of that March B Shareholder meeting?
2. When did she learn how the B Shareholders had voted at that meeting?
3. Was the existence or outcome of this meeting was ever brought to the attention of the People Committee?

**Response by Councillor Marian James**

I thank Cllr Garratt for the opportunity to clarify the position with regard to this matter.

I have always been very clear with the Committee that, in accordance with the Articles of Association of the Company, it was a matter for the company to call and manage the meeting of the B shareholders. I am advised that on the instructions of the Company Board, Mr Ian Comfort, the Chair of the Board, called a separate meeting of the holders of the B Shares. This was the meeting that was held on 5 March 2020.

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In the light of the company's responsibilities, I have asked Mr Ian Comfort, the Chair of the Cognus Board, for the Company's position and he advises the following:

*"I think it important to clarify that whilst the resolution was not carried forward on March 5th, it was not definitive. As the Chairman of Cognus, I can confirm that the B Shareholders fed back that they would welcome an opportunity to hear some more from the Council about this matter before the resolution is brought back to them. Unfortunately, due to Covid, officers were not able to progress this but I can assure you that the process of discussion with the B shareholders is planned to resume shortly."*

I am advised that it is not unusual in a commercial context for decisions to be revisited in quite short order if the circumstances dictate. This is perhaps a little different from the experience in the local government world.

While I was aware in late February that the company was proposing to hold a General Meeting on 5 March, apart from being advised of the timetable I had no role in the matter - it was a matter properly left to the company. I was aware shortly after the meeting that the B Shareholders had voted not to immediately accept the A shareholder proposals and were seeking further information. It was proposed to take the matter for information to the meeting of the People Committee of the 26 March but that, of course, was cancelled due to the national emergency.

**Questions asked by Councillor Tom Drummond to Councillor Manuel Abellan, Chair of the Environment and Neighbourhood Committee**

A large number of residents have attended open air meetings to discuss both the scheme under the bridge in Worcester Park and the proposed closure of Browning Avenue. A number of issues have been raised and I would be grateful if you could provide answers to the following :

**1. When did you first have a detailed knowledge of the two schemes?**

**Response by Councillor Manuel Abellan**

The two schemes were developed at different times. The Worcester Park measures in Central Road under the bridge related to Social Distancing where the borough was reacting quickly to reduced levels of traffic during lockdown, and seeking to create more space for safe walking and cycling. The Low Traffic schemes, including that for Browning Avenue, were prepared later in more detail as part of the TfL Streetspace bid submission.

As Lead Member, I was made aware of the proposals for measures at the Worcester Park Bridge on 14th May and they were installed on 29th May. This information was shared with ward councillors on 22nd May.

The Low Traffic Area (LTA) bid for the Browning Avenue area was submitted to TfL on 5th June, as part of their Low Traffic Neighbourhood programme. I had detailed knowledge of the bid on 3rd June, shortly before it was submitted. I am also aware that the scheme and

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bid information was shared with ward councillors and indeed all Members on 5th June. The scheme is due to be trialled from 21st September.

**2. What communication has there been with the emergency services (police, fire, ambulance) in relation to these schemes (please provide dates). In addition please provide a summary of the responses received?**

**Response by Councillor Manuel Abellan**

I can confirm that discussions occurred between officers and the emergency services in relation to the LTA scheme and the Experimental Traffic Management Order Process provides for a pre-engagement consultation with them, which took place between 16 - 24 July. None of the Police, Fire Brigade or Ambulance Service raised concerns in relation to the scheme. The proposal for Browning Avenue maintains access for emergency vehicles.

There was no expectation of communication with and clearance by the Police, Fire Brigade or London Ambulance Service on schemes introduced as emergency measures, such as at Worcester Park railway bridge/Central Road.

**Response by Councillor Manuel Abellan**

**3. There is currently a petition which has been signed by over 3,000 residents for the removal of the cones under the bridge, will you take notice and remove the cones immediately?**

Traffic jams, air pollution and dangerous conditions for pedestrians and cyclists along Central Road have been key concerns for residents in the Worcester Park area for years. The high levels of traffic - averaging 23,000 cars per day for the last three years - and the railway bridge can make Central Road unwelcoming and dangerous. During the lockdown, people across Sutton have really appreciated the better air quality and safer environment with fewer cars on the road.

This scheme sought to address these concerns. We have been clear throughout implementation, however, that these schemes are pilots for 6 months and if they do not achieve their objectives then amendments will be made.

As children go back to school and people return to work, we are starting to see car use increase and more demand on local buses. We are aware that the changes to the road layout when the scheme was first implemented have led to slightly longer bus journey times over the summer. Transport for London is now running extra buses locally for children travelling to school and we recognise this will place further pressure on this stretch of road.

As a result, changes were made to the scheme on Friday 4th September. These upgrade the existing advisory cycle lane and provide more protection to cyclists without affecting the

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flow of traffic. Anecdotally, from feedback since these changes, traffic flows in Central Road under the bridge have improved.

- 4. There is a petition signed by over 2,330 residents demanding Browning Avenue not to be closed, will you respect the will of these residents and abandon this scheme?**

### **Response by Councillor Manuel Abellan**

We have also received petitions from the residents of Browning Avenue concerned about the speed of traffic driving along the road, which makes it feel dangerous. They are concerned that this is turning into a shortcut. During the lockdown, people across Sutton have really appreciated the better air quality and safer environment with fewer cars on the road. There is now an opportunity to make some streets greener and safer places for walkers, cyclists and for children.

The objective with the Browning Avenue scheme is to make the street a better place for those who live there and reduce use by those using the road as a shortcut. Households will notice the benefits, particularly when walking or cycling. It is recognised though that there may be some inconvenience for drivers and it is possible that some journeys may take slightly longer at peak times.

Across the borough, the objectives of the Safer, Active, Greener Streets programme are to reduce traffic, increase cycling and make the environment feel safer. We acknowledge that we need to make these objectives clearer to ward councillors and residents. If it becomes apparent that this trial scheme is not achieving these objectives then the Council will make changes before the six month consultation period ends.

### **Questions asked by Councillor Neil Garratt to Councillor Manuel Abellan, Chair of the Environment & Neighbourhood Committee**

One major impact of the experimental Low Traffic Neighbourhood scheme that has been introduced this week around All Saints Road in Sutton North is to block traffic from the western end of All Saints Road and divert it along Woodend and Aultone Way to Rose Hill. Predictably this has turned Woodend and Aultone Way, both narrow roads, into major thoroughfares snarled with frustrated queuing drivers. Could you explain:

1. Was this a deliberate design choice?
2. Why do you believe that Woodend and Aultone Way are better able to handle this traffic than All Saints Road?

### **Response by Councillor Manuel Abellan**

Increasingly, Grennell Road, All Saints Road, Benhill Wood Road are becoming shortcuts and experiencing volumes of traffic at higher than desirable speed.

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In order to reduce road speeds, make the roads safer and improve the quality of life in the Grennell Road, All Saints Road and Benhill Wood Road area, and surrounding roads, the following changes were made from 21 September for six months:

- Road closures to motor vehicles in Grennell Road (north of Edinburgh Road); All Saints Road (west of Calthorpe Gardens); Benhill Wood Road (north of the junction with Oakhill Road); Benhill Wood Road (north of the junction with Benhill Avenue); and
- A 20mph speed limit in the North Sutton area

The road closure on All Saints Road was incorporated into the North Sutton Low Traffic Area to create a safer traffic environment for pupils of All Saints Benhillton Primary. Ward councillors and I raised concerns about the likely impact on neighbouring roads, but were told the closure needed to go ahead for the scheme to work and that the impact could be monitored.

Following implementation, we have seen a higher than anticipated volume of traffic displaced on to a few surrounding residential roads, which were not designed for these traffic levels.

To address the traffic displacement, the scheme has now been modified to remove the road closure on All Saints Road, west of Calthorpe Gardens. All other elements of the North Sutton North Low Traffic Area remain in place. The impact of the scheme will continue to be monitored and we will work with local residents to see if, in due course, any further changes are needed.

### **Questions asked by Councillor Neil Garratt to Councillor Marian James, Chair of the People Committee**

At the 16 January 2020 meeting of the People Committee, a decision was made “To take necessary action to change the status of Cognus to a wholly owned local authority trading company for the financial year 20/21.”

At that time, Cognus, the council’s children’s services spin-out, was a joint venture between the Council (A Shareholders) and a number of schools (B shareholders). So the aim of this decision was to remove the B shareholders from co-ownership of Cognus, a decision which requires the agreement of a super-majority of those B shareholders. It was a matter of heated debate whether the B shareholders would agree to this.

Clearly the COVID-19 pandemic has caused disruption to carrying out this decision, so it would be useful if you could provide an update. In particular:

1. The steps taken to gain the agreement of the B shareholders and their response.
2. The current situation and next steps.

### **Response by Councillor Marian James**

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I am pleased to confirm that an update will be provided to the People Committee on 15 October 2020.

**Questions asked by Councillor Neil Garratt to Councillor Manuel Abellan, Chair of the Environment & Neighbourhood Committee**

Since May this year there has been a major deployment of cones on the Sutton town centre one-way system, both St Nicholas Way and Throwley Way, to close one lane to general traffic and create a temporary experimental cycle lane. Unfortunately few people are aware that cycling is allowed in this coned-off lane because from May to September there have been no road signs to indicate cycling: most people concluded that the cones were an extended pavement for pedestrians only.

Could you explain:

1. Why there aren't signs clearly indicating that the coned-off lane is for cycling?
2. If signs cannot be installed, what is the point of retaining the cones?

**Response by Councillor Manuel Abellan**

In May, as plans to ease the lockdown took shape, all councils were asked by the government and TfL to look at urgent ways to create more space for people to walk and cycle safely in busy areas.

Additional space was allocated along St Nicholas Way and Throwley Way to accommodate this. However, it became clear that the scheme was not being used as envisaged initially for social distancing. I was expecting water barriers to be implemented as part of the scheme however cones were installed instead. It was clear, after a site visit, that the layout of the scheme did not make it clear that cyclists could use the designated space. I asked officers to upgrade the scheme into a clearly demarcated semi-segregated cycle lane.

The scheme was modified on 25 September by the replacement of temporary cones with more durable, more secure reflective posts - often referred to as wands - and improved signage to ensure it is clear that the intended use of this space is for cyclists. These modifications should ensure the scheme is clearer and safer to use and will continue to be monitored. I would encourage you to contact officers if you have further ideas on how the scheme can be improved.

**Questions asked by Councillor Neil Garratt to Councillor Manuel Abellan, Chair of the Environment & Neighbourhood Committee**

In reference to the quietway cycle project through north Sutton:

- 1 Have the full results of the pre-covid consultation been published?
- 2 What steps were taken to bring the consultation to the attention of residents at the time to encourage participation?

**Response by Councillor Manuel Abellan**

The results of the 2017 Quietways survey have been published on the council website. The full results of the consultation undertaken in Spring 2020 have not been published yet. These will be published in due course.

Residents living within the area of consultation were contacted by letter and provided with the online consultation web address. There were also three drop-in sessions held which residents were invited to. This was publicised by posters at the drop-in sessions and the consultations were displayed at the venues for the sessions.