

# Croydon Council      amended report circulated 1 July 2016

For general release

<b>REPORT TO:</b>	<b>TRAFFIC MANAGEMENT ADVISORY COMMITTEE</b>  6 July 2016
<b>AGENDA ITEM:</b>	<b>10</b>
<b>SUBJECT:</b>	<b>Green Lane – Objections to the proposed introduction of a free CPZ in Green Lane and Beaufort Gardens</b>
<b>LEAD OFFICER:</b>	<b>Jo Negrini, Acting Chief Executive and Executive Director of Place</b>
<b>CABINET MEMBER:</b>	<b>Councillor Stuart King, Cabinet Member for Transport and Environment</b>
<b>WARDS:</b>	<b>NORBURY</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT:</b>	
<p>This report is in line with objectives to improve the safety and reduce obstructive parking on the Borough’s roads as detailed in:</p> <ul style="list-style-type: none"> <li>• Croydon Local Plan – Nov 2015</li> <li>• Local Implementation Plan 2; 2.8 Transport Objectives</li> <li>• Croydon’s Community Strategy 2013-18; Priority Areas 1, 2 &amp; 3</li> <li>• Croydon Corporate Plan 2015 – 18</li> <li>• <a href="http://www.croydonobservatory.org/strategies/">www.croydonobservatory.org/strategies/</a></li> </ul>	
<b>FINANCIAL IMPACT:</b>	
<p>These proposals can be contained within available budget.</p>	
<b>FORWARD PLAN KEY DECISION REFERENCE NO.:</b> n/a	
<b>1. RECOMMENDATIONS</b>	
<p>That the Traffic Management Advisory Committee recommend to the Cabinet Member for Transport and Environment that they:</p>	
1.1	<p>Consider the objections received to the proposed introduction of a free Controlled Parking Zone in Green Lane (between the party wall of Nos. 216 and 218 Green Lane and its junction with Briar Avenue) and Beaufort Gardens, with a combination of free parking bays and single yellow lines operating 11am to 12 noon, Monday to Friday.</p>

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| <p>1.2 Agree for the reasons detailed in this report to proceed with the original proposals in both roads.</p> <p>1.3 Instruct that officers inform the objectors of the above decision.</p> |
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## **2. EXECUTIVE SUMMARY**

- 2.1 The purpose of this report is to consider objections received from the public following the formal consultation process on a proposal to introduce a free Controlled Parking Zone in Green Lane (between the party wall of Nos. 216 and 218 Green Lane and its junction with Briar Avenue) and Beaufort Gardens, with a combination of free parking bays and single yellow lines operating 11am to 12 noon, Monday to Friday.
- 2.2 The proposed scheme follows an informal consultation with residents during which consultation letters and questionnaires were hand-delivered to each household and the majority of respondents indicated that they were in favour of the proposal. The results of the informal consultation were reported to this committee in April.

## **3. OBJECTIONS AND RESPONSES**

### **Objection 1**

- 3.1 A local resident has objected to the scheme on the basis that it will not benefit residents and will mean they have to move their cars between 11am and 12 noon, Monday to Friday, which will not always be convenient. The resident is concerned that the scheme is designed to make money for the Council via the issue of Penalty Charge Notices.
- 3.2 **Response** – This scheme was conceived in response to a petition from residents of Green Lane, citing problems with commuter parking obstructing the flow of traffic and impeding access to driveways. The proposed free CPZ is intended to prevent these problems with a one-hour weekday waiting restriction, which would force commuters to park in the free bays provided, where parking is deemed to be safe and appropriate. Whilst the waiting restrictions would necessitate residents moving their vehicles from the yellow lines during the hour when waiting restrictions apply, the majority of respondents (64%) were in favour when residents were consulted about the proposed scheme, which indicates that most residents would not find this too inconvenient.

### **Objection 2**

- 3.3 A resident has objected on the basis that the scheme is ridiculous and will be a waste of money. The resident does not agree that 25 responses out of 81 questionnaires delivered is a good response rate for an informal consultation as it does not take into account the opinions of those that did not respond. The objector believes that the proposal will cause more of a problem to residents than it will to commuters.

- 3.4 **Response** – This scheme is a practical and reasonable response to the issues raised by residents in their petition, proposing to introduce the minimum restrictions required to deal with the problems of obstructive commuter parking.

In the experience of Council Officers, a 31% response rate to an informal consultation is a good response rate and a vote of 64% of respondents in favour is more than sufficient to progress a scheme. It is not possible to take into account the opinions of those that did not respond to the informal consultation, although a lack of response would tend to indicate that those residents are not concerned about the possible introduction of the scheme. Those that are strongly against the introduction of restrictions generally ensure that they register their opinion by responding to the questionnaire. Following the informal consultation, all residents get a further opportunity to express their views by objecting to the making of the Traffic Order, as this resident has done.

### **Objection 3**

- 3.5 An objection has been received from a resident who does not agree that parking has ever been an issue in Green Lane. The resident does not understand where the idea for parking controls has come from and feels that speed is a bigger problem. The resident requests a speed camera to be installed.

- 3.6 **Response** – Although this resident is unaware of the problems, a petition was received in June 2015 from 38 residents (Minute A63/15 refers) who want action taken to deal with difficulties caused by obstructive commuter parking. The proposed scheme was designed in response to that petition.

The issue of speeding and the enforcement of the 30mph speed limit on Green Lane is a police matter.

### **Objection 4**

- 3.7 An objection has been received from a resident who is concerned about the position of a free parking bay opposite their property. The bay's proposed position is east of an existing bus stop outside No. 246 Green Lane. The resident has indicated that vehicles overtaking buses at the stop are forced on to the opposite side of the road whilst doing so. The resident is concerned that the position of the bay will force vehicles overtaking buses to stay on the wrong side of the road for longer, which is a safety issue. The resident says that they have had two vehicles written off in the last 10 years due to the speed of vehicles.

- 3.8 **Response** – The fact that some drivers overtake in an unsafe manner is not related to the position of the proposed bay, which replicates existing parking patterns in Green Lane. The centre of the road is marked with white diagonal stripes bordered by a broken white line, which are there to separate the lanes and (in accordance with rule 130 of the Highway Code) should not be entered unless it is necessary and safe to do so. Even if a bay were not proposed in the relevant location, vehicles would still be able to park there outside of the hour when waiting restrictions are proposed to be in force and consequently, the situation that concerns the resident would still arise. Despite the safety concerns

expressed by the resident, road traffic accident figures show that there have been no recorded personal injury accidents in the relevant section of Green Lane within the last three years.

Parked vehicles generally have the effect of slowing traffic. However, as explained above, the issue of speeding and enforcement of the speed limit is one for the police.

### **Objection 5**

3.9 An objection in the form of a petition has been received from the residents of Beaufort Gardens, who state that the scheme outlined would not achieve their objectives which are:

- To prevent “strangers” from parking or dumping cars in the limited space available in the cul-de-sac.
- To ensure that there is always clear access to our houses for emergency service vehicles, refuse collection and other larger vehicles when necessary.
- To facilitate safer access to Green Lane.

The petition goes on to request that within Beaufort Gardens:

- The proposed bays be designated “Residents Only” at all time.
- The proposed bay outside No. 8 be moved to the opposite side of the road so that all the bays are on the left hand side of the road as you enter Beaufort Gardens, and to avoid obstructing the driveway of No. 8.
- We would like the proposed single yellow line (as shown on drawing PD-299) to be replaced with double yellow lines as parking anywhere apart from the parking bays would create an obstruction at any time.

3.10 **Response** – The scheme was designed in response to a petition (Minute A63/15 refers) from residents who wanted action taken to deal with difficulties caused by obstructive commuter parking. Although the scheme will not prevent commuters parking in the area it will prevent obstruction by restricting commuters’ vehicles to the parking bays provided.

The layout of parking bays has been designed so as to ensure access for larger vehicles including refuse trucks and fire engines. The bays are staggered to allow vehicles to pass and are sited at a sufficient distance from driveways and junctions to prevent obstruction.

Double yellow lines at the junction of Beaufort Gardens and Green Land have been included as part of the scheme design, to ensure safe access.

A resident only parking scheme was not felt to be appropriate in Green Lane or Beaufort Gardens. There is little evidence that residents are competing with commuters for parking spaces in the road as most residents have driveways. The proposed scheme was felt to be better designed to deal with the difficulties highlighted in the petition by ensuring that commuters park away from driveways and enabling residents to park on the single yellow lines outside the controlled

period.

Double yellow lines are not considered to be necessary throughout Beaufort Gardens as the single yellow lines should be adequate to ensure that commuters are forced to park only where it is safe and appropriate.

#### 4 CONSULTATION

- 4.1 The purpose of this report is to consider comments and objections from the public following the giving of public notice of the proposals. Once the notice was published, the public had up to 21 days to respond.
- 4.2 The legal process requires that formal consultation takes place in the form of Public Notices published in the London Gazette and a local paper (Croydon Guardian). Although it is not a legal requirement, this Council also fixes notices to lamp columns in the vicinity of the proposed schemes to inform as many people as possible of the proposals.
- 4.3 Organisations such as the Police, Fire Brigade, the Cycling Council for Great Britain, The Pedestrian Association, Age UK and bus operators are consulted separately at the same time as the public notice. Other organisations are also consulted, depending on the relevance of the proposal. The police had no objections to the proposals. No comments were received from any of the other organisations.

#### 5. FINANCIAL CONSIDERATIONS

The capital spend is to come out of the LIP (local Implementation Plan) budget allocation of £30k for the current financial year. Attached to the papers of this meeting is a summary of the overall financial impact of this and other applications for approval at this meeting. If all applications were approved this would leave £6k for the rest of the 2016/2017 financial year.

##### 1 Revenue and Capital consequences of report recommendations

	Current Financial Year	M.T.F.S – 3 year Forecast		
		2017/18	2018/19	2019/20
	2016/17	2017/18	2018/19	2019/20
	£'000	£'000	£'000	£'000
<b>Revenue Budget available</b>				
Expenditure	0	100	100	100
Income	0	0	0	0

**Effect of Decision  
from Report**

Expenditure	0	0	0	0
Income	0	0	0	0
<b>Remaining Budget</b>	<u>0</u>	<u>100</u>	<u>100</u>	<u>100</u>

**Capital Budget  
available**

Expenditure	30	0	0	0
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**Effect of Decision  
from report**

Expenditure	4	0	0	0
<b>Remaining Budget</b>	<u>26</u>	<u>0</u>	<u>0</u>	<u>0</u>

**2 The effect of the decision**

- 2.1 If it was agreed to introduce parking controls into this area the cost of introducing a free controlled parking zone into Green Lane (part) and Beaufort Gardens has been estimated at £4,400. This includes the provision of signs and lines and a contribution towards the legal costs.
- 2.2 This cost could have been contained within the available capital budget for Controlled Parking Schemes under the Local Implementation Plan (LIP) projects for 2016/17.
- 2.3 The schemes costs were included in Aprils TMAC reports and so the above spend has already been accounted for.

**3 Risks**

- 3.1 There is a risk that the final cost will exceed the estimate. However, this work is allowed for in the current budget.
- 3.2 If controlled parking was introduced future income may be generated from enforcement of these controls through Penalty Charge Notices. Most CPZ schemes have proven to be self-financing within 4 years of introduction.

**4 Options**

- 4.1 It is recommended to introduce the free Controlled Parking Zone into this area as proposed. The alternative option is not to introduce controls into this area but this is likely to be seen as going against the wishes of the majority of consultation respondents, who were in favour.

## **5 Savings/ future efficiencies**

5.1 The current method of introducing parking controls is very efficient with the design and legal work being carried out within the department. The marking of the bays and the supply and installation of signs and posts is carried out using the new Highways Contract and the rates are lower than if the schemes were introduced under separate contractual arrangements.

5.5.3 Approved by: Zulfiqar Darr, Interim Head of Finance, Place & Resources.

## **6. COMMENTS OF COUNCIL SOLICITOR AND MONITORING OFFICER**

6.1 The Acting Solicitor to the Council comments that Sections 6, 124 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (as amended) provide powers to introduce and implement Traffic Management Orders. In exercising this power, section 122 of the Act imposes a duty on the Council (so far as is practicable) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. The Council must also have regard to matters such as the effect on the amenities of any locality affected.

6.2 The Council must comply with the necessary requirements of the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 by giving the appropriate notices and receiving representations. Such representations have been considered and responded to in this report.

6.3 Approved for and on behalf of Gabriel Macgregor, Head of Corporate Law Acting Council Solicitor and Acting Monitoring Officer.

## **7. HUMAN RESOURCES IMPACT**

7.1 There are no human resources implications arising from this report.

7.2 Approved by: Adrian Prescod, HR Business Partner, for and on behalf of Director of Human Resources, Chief Executive Department.

## **8. EQUALITIES IMPACT**

8.1 An initial Equalities Impact Assessment (EqIA) has been carried out and it is considered that a Full EqIA is not required.

## **9. ENVIRONMENTAL IMPACT**

9.1 Free bays do not require signage therefore these proposals are environmentally friendly. Narrow 50mm wide yellow lines can be used in environmentally sensitive

and conservation areas.

## **10. CRIME AND DISORDER REDUCTION IMPACT**

- 10.1 Waiting restrictions at junctions are normally placed at a minimum of 10 metres from the junction, which is the distance up to which the Police can place Fixed Penalty Charge Notices to offending vehicles regardless of any restrictions on the ground.

## **11. REASONS FOR RECOMMENDATIONS**

- 11.1 The recommendation is to introduce a free Controlled Parking Zone into Green Lane (between the party wall of Nos. 216 and 218 Green Lane and its junction with Briar Avenue) and Beaufort Gardens, since the majority of respondents to the informal consultation voted in favour of parking controls. The introduction of marked bays away from driveways, junctions and other locations where parking causes problems with yellow line waiting restrictions in between will ensure the expeditious, convenient and safe movement of all road users.

## **12. OPTIONS CONSIDERED AND REJECTED**

- 12.1 An alternative option is not to introduce the parking controls. This could have a detrimental effect on residents in that they would continue to suffer with parking issues in relation to obstruction, road safety and traffic flow problems.

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## **BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972**