

<b>REPORT TO:</b>	<b>TRAFFIC MANAGEMENT ADVISORY COMMITTEE</b> <b>16 OCTOBER 2019</b>
<b>SUBJECT:</b>	<b>CECIL ROAD AND AURELIA ROAD (PART) – RESULTS OF STATUTORY CONSULTATION ON THE PROPOSED CHANGE OF OPERATIONAL HOURS OF A CONTROLLED PARKING ZONE (CPZ)</b>
<b>LEAD OFFICER:</b>	<b>Shifa Mustafa, Executive Director of Planning and Environment</b>
<b>CABINET MEMBER:</b>	<b>Councillor Stuart King, Acting Cabinet Member for Environment, Transport and Regeneration (job share)</b>
<b>WARDS:</b>	<b>West Thornton</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT:</b>	
<p>This report is in accordance 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 Feb 2018</li> <li>• The Local Implementation Plan; 3.6 Croydon Transport policies</li> <li>• Croydon’s Community Strategy; Priority Areas 1, 3, 4 and 6</li> <li>• The Croydon Plan 2<sup>nd</sup> Deposit; T4, T7, T35, T36, T42 and T43.</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>	
These proposals can be contained within the available budget.	
<b>FORWARD PLAN KEY DECISION REFERENCE NO.:</b> n/a	
<b>1. RECOMMENDATIONS</b>	
<p>That the Traffic Management Advisory Committee recommend to the Acting Cabinet Member for Environment, Transport and Regeneration (job share) that they:-</p>	
1.1	Consider the responses received to the formal consultation on the proposed change of operational hours of the West Thornton CPZ which comprises of Cecil Road and the section of Aurelia Road between Mitcham Road and Lavender Road.
1.2	Agree for the reasons detailed in this report to change the hours of operation in the West Thornton Parking Zone to 8am – 8pm, Monday – Sunday, as shown on drawing PD-396.
1.3	Inform the objectors and supporters of the above decision.

## **2 EXECUTIVE SUMMARY**

- 2.1 This report considers the results of the statutory consultation on the proposed change of operational hours of the West Thornton CPZ in Cecil Road and part of Aurelia Road, which comprises of shared-use Permit / Paid for parking bays and mainly single yellow lines.
- 2.2 It is recommended that the Council proceeds with the alteration of the operational hours of the West Thornton CPZ from a 9am – 5pm, Mon – Sat **to** an 8am – 8pm, Mon – Sun operation as shown on drawing no. PD-396.
- 2.3 On 16 September 2019 and pursuant to the delegation from the Leader dated 6 June 2016, the Executive Director Place, following consultation with the Cabinet Member for Environment, Transport and Regeneration (job share) determined that it was appropriate to refer consideration of the matters detailed paragraph 2.2 above to the Traffic Management Advisory Committee for onward recommendation and determination to the Cabinet Member for Environment, Transport and Regeneration (job share).

## **3 DETAIL**

- 3.1 A petition was received last year from residents of Cecil Road requesting that the existing controlled parking zone operational period change from 9am to 5pm, Monday to Saturday **to** 8am to 8pm, Monday to Sunday to help improve parking conditions during the evening and on Sundays.
- 3.2 After 5pm residents have complained to the Council that there is currently a lack of available parking and apparently due to parking mainly associated with residents living outside the zone such as those of Mitcham Road. This is causing problems in the area and residents are finding that they frequently are unable to park close to their home due to space being occupied by non-permit vehicles after 5pm when the parking controls end and on Sundays.
- 3.3 Surveys have confirmed that parking stress is higher after 5pm and on Sundays when parking is free and this appears to be mainly due to residents in the local area taking advantage of this free parking.
- 3.4 In May 2019, 216 sets of consultation documents which comprised of a letter, explaining the reasons for the consultation, a plan of the consultation area, a Frequently Asked Questions factsheet and a questionnaire were sent to addresses within the existing CPZ area. A total of 82 questionnaires were returned, representing a 38% response rate which is considered a good response for an informal consultation exercise of this type.
- 3.5 The table below shows in detail the road by road responses to both Questions 1 and 2 as part of the informal consultation.

Street Name	No. of responses	Are you in favour of change of hours in the existing CPZ?			
		Yes - change the hours Mon-Sun 8am-8pm		No – keep the existing arrangement	
Cecil Road	63	48	76%	15	24%
Aurelia Road (Mitcham Road to Lavender Road)	19	8	42%	11	58%
<b>TOTAL</b>	<b>82</b>	<b>56</b>	<b>69%</b>	<b>26</b>	<b>31%</b>

- 3.6 Overall, the majority of respondents 56 (69%) indicated that they were in favour of the change of hours. 26 (31%) did not support the change of hours to Monday to Sunday 8am to 8pm.
- 3.7 Due to the positive response to the informal consultation it was agreed at the Traffic Management Advisory Committee on 24 July 2019 to undertake formal consultation with a view to consider the change of operational parking hours in the West Thornton CPZ subject to outcome of the formal consultation. It is worth pointing out that although the respondents from Aurelia Road were not in favour of changes to the current zone it would be impractical to split such a small zone without the result of driver confusion and increased parking stress in Aurelia Road outside the 9am to 5pm, Monday to Saturday period.

#### 4 STATUTORY CONSULTATION

- 4.1 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 street notices to lamp columns in the vicinity of the proposed scheme and writes to occupiers who are directly affected to inform as many people as possible of the proposals.
- 4.2 Official bodies such as the Fire Brigade, the Cycling Council for Great Britain, The Pedestrian Association, Age UK, The Owner Drivers' Society, The Confederation of Passenger Transport and bus operators are consulted under the terms of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. Additional bodies, up to 27 in total, are consulted depending on the relevance of the proposals.
- 4.3 Once the notices have been published the public has 21 days to comment or object to the proposals. If no relevant objections are received, subject to agreement to the delegated authority sought by the recommendations, the Traffic Management Order is then made. Any relevant objections received following the giving of public notice will be considered by the Executive Director of Place and may be referred to the Traffic Management Advisory Committee if the Executive Director in consultation with the Cabinet Member for Transport and Environment considers it appropriate for any other reason.

## 5 OBJECTIONS AND RESPONSES

5.1 A total of 7 objections and one petition of objection has been received from residents in the Cecil Road area. The objections are listed below with the officer responses following.

### **Objection 1**

5.2 An objection from a resident of Cecil Road was raised on the grounds that:

- Current restrictions are serving its purpose.
- There are enough parking spaces available every day so there is no need to increase the hours of operation.

### **Objection 2**

5.3 An objection from a resident of Aurelia Road was raised on the grounds that:

- Currently after 5pm there are always parking spaces available
- Aurelia Road and Cecil Road are residential roads and do not require longer parking controls.

### **Objection 3**

5.4 An objection from a resident of Cecil Road was raised on the grounds that:

- I vote against it because my daughter helps me with house chores and needs to park her car.

### **Objection 4**

5.5 An objection from a resident of Cecil Road was raised on the grounds that:

- The rent and council tax we pay is high enough, so to pay after 5pm will make it difficult for us.

### **Objection 5**

5.6 An objection from a resident of Lavender Road has been raised on the grounds that:

- Parking has not been a problem since parking restrictions was introduced in Aurelia Road and Cecil Road.
- The new proposal will make it impossible for myself and family to park outside my own home.

### **Objection 6**

5.7 An objection from a resident of Lavender Road was made on the grounds that:

- I object to 8am to 8pm Monday to Sunday parking controls because more cars will park in my road.
- Visitors will have to pay after 5pm.
- Changing the times will not resolve the parking issues in Cecil Road.

### **Objection 7**

5.8 The seventh objection from a resident within the zone was on the grounds that:

- This is extremely prohibitive to visitors.
- The existing parking controls are already working and no need to change the operational hours.

### **5.9 Petition of objection**

A petition was received from local residents including those that live in neighbouring roads and do not live in the West Thornton CPZ.

The petition was signed by a total of 55 local area residents objecting to changing the hours of operation to 8am to 8pm Monday to Sunday and to keep the existing

arrangements of Monday to Saturday 9am to 5pm. 24 signatures being from neighbouring roads.

#### 5.10 **Responses**

Residents and businesses were given two controlled parking options when the informal consultation was carried out. These were to keep the existing parking controls of 9am to 5pm Monday to Saturday, or change it to 8am to 8pm Monday to Sunday (matching controls currently in place and being extended on the east side of Thornton Road). The responses showed that the majority (69%) of respondents supported Monday to Sunday 8am to 8pm, as opposed to 31% who supported the existing parking controls Monday to Saturday 9am to 5pm to remain.

5.11 The current parking controls within the existing CPZ are having positive effects during the hours of operation. However when residents return home from work after 5pm when parking is free, they struggle to find a parking space. The petition was signed by 146 residents from 140 households (of the 215 households) within the CPZ have signed for parking controls to be changed to Monday to Sunday 8am to 8pm, to help alleviate parking issues for residents in the evenings and on Sundays. Surveys have confirmed that there is parking stress in the West Thornton CPZ during the evening and on Sundays with over 90% occupied parking bays.

5.12 A controlled parking zone is introduced to help local residents with parking issues. The current annual £80 charge for the first resident permit within a household (increasing to £104 from October 2019 with emission based permits for the majority of cars emitting between 76 and 166 g/km) equates to £1.54 per week for parking. However, if residents within the controlled parking zone do not wish to pay for a parking permit then they must either pay by phone or seek alternative parking during the controlled hours.

5.13 Council Tax income does not contribute towards parking controls, parking income can only be used for transport related Council expenditure such as the concessionary fare system (Freedom pass). The police are funded by central government with a contribution from Council Tax and this is a legal requirement over which the Council has no control.

5.14 Lavender Road being a neighbouring road to Aurelia Road and Cecil Road was included in the informal consultation when the Council proposed to introduce a new controlled parking zone. However, Lavender Road had a low response rate and those that did respond opposed to be included in the new controlled parking zone.

#### 5.15 **Support for the Proposal**

With a petition from 146 residents from 140 households (of the 215 households within the CPZ) requesting to change the parking controls in the area to Monday to Sunday 8am to 8pm, and during the consultation two emails were received from residents of Cecil Road expressing support for the scheme. The messages stated that:

- There are limited spaces available for the Cecil Road residents after 5pm as that is a common time working people return.
- When will the new parking hours be implemented?

## 5.16 Recommendation

Site surveys were conducted during the week by Council officers observing parking stress after 5pm in Aurelia Road and Cecil Road, with limited vacant spaces after the controls had ended at 5pm. In view of the site visits conducted by Council officers and a majority of support for the change of operational parking hours, with the low number of objections (relative to the number of occupiers in this area) and the responses to those objections given above, it is recommended to proceed with the scheme as proposed and shown in drawing No. PD-396 as it will ensure the provision of suitable and adequate parking facilities.

## 6. FINANCIAL CONSIDERATIONS

The required capital expenditure will be funded via an allocation within the TfL LIP grant funding allocated to Croydon for 2019/20. Total funding of £75k is included for controlled parking schemes in 2019/20 with £57k remaining. 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 there would be funding of £2k remaining in 2019/20.

### 7.1 Revenue and Capital consequences of report recommendations

	Current Financial Year 2019/20 £'000	M.T.F.S – 3 year Forecast		
		2020/21	2021/22	2022/23
		£'000	£'000	£'000
<b><u>Revenue Budget available</u></b>				
Expenditure	0	0	0	0
Income	0	0	0	0
<b><u>Capital Budget available</u></b>				
Expenditure	57	0	0	0
<b><u>Effect of Decision from report</u></b>				
Expenditure	3	0	0	0
<b>Remaining Budget</b>	<u>54</u>	<u>0</u>	<u>0</u>	<u>0</u>

### 7.2 The effect of the decision

7.2.1 The cost of amending the West Thornton CPZ has been estimated at £3,400. This includes the supply and installation of signs, lines, and amendments to the Pay by Phone system and a contribution towards the legal costs.

7.2.2 These costs can be contained within the available TfL LIP budget for 2019/20.

7.2.3 The ongoing costs of maintaining the controlled parking will be managed within existing revenue budgets.

### **8.3 Risks**

- 8.3.1 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

### **9.4 Options**

- 9.4.1 An alternative option is to retain the existing 9am to 5pm, Monday to Saturday controls and to monitor parking and complaints for future review. However, the results from the informal consultation indicate that the majority of residents want action to help improve parking conditions during the evening and on Sundays.

### **10.5 Savings/ future efficiencies**

- 10.5.1 If longer parking controls are introduced future income will be generated from Pay-By Phone takings and permit sales, together with enforcement of these controls through vehicle removals and Penalty Charge Notices. CPZ schemes have proven to be self-financing, usually within 4 years of introduction.

Approved by: F Wright, Head of Finance (Place)

## **11 COMMENTS OF COUNCIL SOLICITOR AND MONITORING OFFICER**

- 11.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that Sections 6, 45, 46, 47, 49, 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (RTRA) provides the Council with the power to implement the changes proposed in this report. This legislation gives a local authority the power to make Traffic Management Orders (TMO) to control parking by designating on-street parking places, charging for their use and imposing waiting and loading restrictions on vehicles of all or certain classes at all times or otherwise.
- 11.2 In making such Orders, the Council must follow the procedures set out at Schedule 9, Part III of the Road Traffic Regulation Act 1984 and detailed in the Local Authorities Traffic Orders (Procedure)(England and Wales) Regulations 1996 (the 1996 Regulations). The said Regulations, prescribe inter alia, specific publication, consultation and notification requirements that must be strictly observed. It is incumbent on the Council to take account of any representations made during the consultation stage and any material objections received to the making of the Order, must be reported back to the decision maker before the Order is made.
- 11.3 By virtue of section 122 of the RTRA, the Council must exercise its powers under that Act so as 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. These powers must be exercised so far as practicable having regard to the following matters:-
- The desirability of securing and maintaining reasonable access to premises.
  - The effect on the amenities of any locality affected including the regulation and restriction of heavy commercial traffic so as to preserve or improve amenity.
  - The national air quality strategy.

- The importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles.
  - Any other matters appearing to the Council to be relevant.
- 11.4 The Council must have proper regard to the matters set out at s 122(1) and (2) and specifically document its analysis of all relevant section 122 considerations when reaching any decision.

Approved by: Sandra Herbert, Head of Litigation and Corporate law on behalf of the Director of Law and Governance and Deputy Monitoring Officer.

## **12. HUMAN RESOURCES IMPACT**

- 12.1 Extending the operational parking hours in the existing controlled parking zone will require increased enforcement duties by the Civil Enforcement Officers. It is anticipated that this additional enforcement can be undertaken using existing resources.

Approved by: Jennifer Sankar, Head of Human Resources.

## **13. EQUALITIES IMPACT**

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

## **14. ENVIRONMENTAL IMPACT**

- 14.1 Evidence from nearby roads where controls have recently been introduced has shown that reducing the density of parking, especially during the daytime, has resulted in far easier street cleaning and therefore a general improvement in the environment.

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

- 15.1 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.

## **16. REASONS FOR RECOMMENDATIONS**

- 16.1 The recommendation is to extend the controlled parking hours in the Cecil Road area since a majority of respondents in this area voted in favour of longer parking controls.



## **17. OPTIONS CONSIDERED AND REJECTED**

- 17.1 An alternative option is not to change the operational parking hours in the CPZ. This could have a detrimental effect on residents returning home from work after 5pm and would continue to suffer with parking issues.
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### **BACKGROUND DOCUMENTS**

None