

REPORT TO:	TRAFFIC MANAGEMENT ADVISORY COMMITTEE 8 July 2020
SUBJECT:	CROYDON (WEST PERMIT AREA) CPZ – OBJECTIONS TO THE PROPOSED EXTENSION IN SUSSEX ROAD AND SUNNY NOOK GARDENS
LEAD OFFICER:	Shifa Mustafa, Executive Director of Place
CABINET MEMBER:	Councillor Stuart King, Cabinet Member for Environment, Transport and Regeneration (Job Share)
WARDS:	South Croydon
CORPORATE PRIORITY/POLICY CONTEXT:	
<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"> • Croydon Local Plan – Feb 2018 • Local Implementation Plan 3; Section 2 Croydon Transport Objectives • Croydon's Community Strategy; Priority Areas 1, 2, 3 & 4 • The Croydon Plan 2nd Deposit; T4, T7, T35, T36, T42 and T43 • Croydon Corporate Plan 2015 – 18 • Croydon Parking Policy 2019 – 22; Section 2 • www.croydonobservatory.org/strategies/ 	
FINANCIAL IMPACT:	
These proposals can be contained within available budget.	
FORWARD PLAN KEY DECISION REFERENCE NO.: Not a Key Decision	
1. RECOMMENDATIONS	
That the Traffic Management Advisory Committee recommend to the Cabinet Member for Environment, Transport and Regeneration that the Cabinet Member:	
1.1	Consider the responses received to the formal consultation to extending the existing Croydon Controlled Parking Zone (West Permit Zone) into Sussex Road with a combination of Shared-Use Permit/Pay via Ring-Go (8 hours maximum stay) and single yellow lines operating from 9am to 5pm, Monday to Saturday, and to Sunny Nook Gardens for Permits only operating 9am to 5pm, Monday to Saturday.
1.2	Agree for the reasons detailed in this report to extend the Croydon Controlled Parking Zone (West Permit Zone) into Sussex Road in it's entirety as well as into Sunny Nook Gardens as shown on drawing number PD 407.
1.3	Inform the objectors and supporters of the above decision.

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 extend the existing Croydon Controlled Parking Zone (West Permit Zone) to Sussex Road with a combination of Shared-Use Permit/Pay via Ring-Go (8 hours maximum stay) bays and single yellow lines operating from 9am to 5pm, Monday to Saturday, and to Sunny Nook Gardens with Permit parking only, operating during the same hours.
- 2.2 The outcome of the informal consultation was reported to this Committee at its meeting on 24 July 2019, where it was agreed to proceed to a formal consultation on the making of Traffic Management Orders to introduce the proposed scheme.
- 2.3 On 12 March 2020 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 2.1 above to the Traffic Management Advisory Committee for onward recommendation and determination to the Cabinet Member for Environment, Transport and Regeneration (job share).

3. BACKGROUND

- 3.1 Following petitions from Bynes Road and Churchill Road in 2017 residents were consulted on possibly extending existing Controlled Parking Zones into Sunny Nook Gardens, Selsdon Road, Selsdon Avenue, Sussex Road, Haling Road, Helder Street, Jarvis Road, Newark Road, Mansfield Road, Chelsham Road, Crunden Road, Brighton Road, Churchill Road, Wyche Grove, Purley Road, Sanderstead Road, Rolleston Road, and the uncontrolled section of Bynes Road.
- 3.2 On 18 July 2019 the Committee agreed a report (minute A5/19 refers) to extend the Bynes Road CPZ into the remaining uncontrolled section of Bynes Road and to extend the Croydon CPZ (West Permit Zone) into Sunny Nook Gardens and Sussex Road in order to balance the supply and demand of on street parking in these streets.
- 3.3 Following detailed design, occupiers in Sussex Road, Sunny Nook Gardens, and part of Selsdon Road were formally consulted (public notice stage) on a proposal with 9am to 5pm, Monday to Saturday parking controls, illustrated on drawing number PD 407. Residents/businesses within this area were written to on 13 January 2020 with a copy of the relevant drawing and the public notice, and invited to submit objections to/comments on the scheme before Wednesday 12 February 2020. It is expected that the introduction of this scheme would help balance parking demand as well as improve access for the two bus routes which run regular services through Sussex Road.

4. OBJECTIONS AND RESPONSES

- 4.1 A total of 9 objections were received to the proposal during the consultation period.

Objection 1

4.2 The first objection (from a resident of Sussex Road) was raised on the grounds that

- Residents did not know for certain that the parking charges system was going to change to an emissions based system. The informal consultation should be rerun because of this.
- The objector states that he responded positively to the informal consultation. The final vote from Sussex Road was 17 in favour and 15 against. He states that this positive response was subject to several conditions, none of which were implemented. He believes that the final tally should be 16 to 16 and that the scheme should not have proceeded to the formal consultation phase.

4.2.1 Response

Residents were told about the possibility of the parking charges changing (and the proposed associated costs) at the time of the informal consultation and were able to vote based on this information.

Objection 2 & 3

4.3 The second and third objections (from two businesses on Sussex Road) were raised on the grounds that

- The proposed CPZ would damage their businesses and result in job losses
- The cost of parking will have an adverse effect on the businesses and on the clients of the businesses
- Even if they pay for permits they will not be guaranteed a parking space
- They believe that there will be a reduction in parking spaces by a third
- They believe that the scheme will not alleviate parking problems experienced by residents
- Introducing the scheme will push parking onto other roads

4.3.1 Response

The immediate area is well serviced by public transport with opportunities for staff and clients to travel by alternative means. Parking charges start from 30p for 30 minutes, and increase on a linear scale. Although nobody can ever be guaranteed a parking space, anecdotal evidence from other schemes suggests that parking volumes on the road will drop significantly. There will be no reduction in the number of parking spaces on the road. Parking bays will not be subdivided and only one small section of single yellow line (across a driveway) is proposed. It is likely that introducing the scheme could transfer some parking problems onto neighbouring uncontrolled streets. This happens with all controlled parking zones and the only way to avoid this happening completely would be to remove all CPZs in the Borough.

Objection 4

4.4 The fourth objection (from a resident of Sussex Road) was raised on the grounds that

- He feels like he is being penalised for having a car, being able to afford neither the band 7 permit charge, nor a new electric car

- He regularly has notes left on his car from residents of Rockhampton Road and Hurst Way when he has had to park elsewhere as spaces on Sussex Road are taken by the local garage, bus drivers and commuters using South Croydon station.

4.4.1 **Response**

Residents were made aware of the proposed new permit prices when the informal consultation documents were distributed. A majority of respondents from Sussex Road voted to implement the proposed scheme. If this scheme proceeds, he is not obliged to purchase a permit, he could park on uncontrolled streets.

Objection 5

4.5 The fifth objection has been raised on the grounds that:

- Marking all of Sussex Road a CPZ would not improve the parking situation due to the number of cars kept by residents of the road.
- He believes that residents of St. Paul's Road will use Sussex Road as an overflow area.
- He does not want his wife to have to hunt for parking spaces and walk long distances in the dark.
- He has a permit for the South Permit Zone and wants this section of Sussex Road to remain in that part of the CPZ as it allows him to park closer to East Croydon station and to the tram line.
- Transferring to the West Permit Zone would adversely affect his commute.

4.5.1 **Response**

Anecdotal evidence from the introduction of previous schemes suggest that there would be a significant improvement to the parking problems experienced by local residents, although nobody is ever guaranteed a parking space. The area is well served by public transport. This provides an alternative if residents find it especially difficult to park. Residents' permits are provided to allow them to park closer to their home, they are not provided to assist commuters.

Objection 6

4.9 The sixth objection (from a resident of Selsdon Road) has been raised on the grounds that:

- Permits are too expensive

4.9.1 **Response**

A majority of residents from Sussex Road voted for the scheme. A number of Selsdon Road addresses are being included in the zone so that they may purchase a permit if they wish. Those who choose not to pay have the option of the public transport or parking in neighbouring uncontrolled roads.

Objection 7

4.6 The seventh objection (from a resident of Sussex Road) has been raised on the grounds that:

- Sussex Road would be better placed within the South Permit Area rather than the West Permit Area.

- If Sussex Road was placed in the South Permit Area the underused parking bays at the southern end of Moreton Road could act as a useful overflow for Sussex Road.

4.6.1 **Response**

Officers feel that it makes sense for Sussex Road to be introduced in the West Permit Area which already adjoins the southern end of the road. Officers are aware of the underused parking bays at the southern end of Moreton Road. In the event that the parking bays on Sussex Road are oversubscribed during operational hours it is expected that future plans may be developed to move this part of Moreton Road into the West Permit Area.

Objection 8

4.7 The eighth objection (from a resident of Selsdon Road) has been raised on the grounds that:

- They are unable to park on Selsdon Road so usually have to park on Sussex Road, Carlton Road, and Carlton Avenue
- The new flats on Selsdon Road will make it more difficult to park
- The Council should not allow flats to be built without parking facilities
- The permit scheme on Sussex Road will mean that the residents of 196 – 230 Selsdon Road will have nowhere to park.

4.7.1 **Response**

Residents of the existing properties at 196 – 230 Selsdon Road were consulted on these scheme and would be eligible for permits should the scheme proceed. The residents of the new development at 210 – 216 Selsdon Road will not be eligible for permits due to planning restrictions places on this development. Other consultees (including this objector) were informed about this. It is expected (based on the introduction of other controlled parking schemes) that if this scheme were to proceed it would improve parking during the controlled hours.

Objection 9

4.8 The ninth objection (from a resident of Sussex Road) has been raised on the grounds that:

- The proposed hours of operation will not resolve the parking situation in Sussex Road.
- Residents will be paying for a permit which is of no use to them as they will still be unable to park in the area.

4.8.1 **Response**

Anecdotal evidence suggests that the scheme will improve the parking situation on the street. If, after implementation, residents feel like changes are needed to the hours of operation, they are welcome to petition the Council to introduce changes to the scheme.

4.18 It is recommended to proceed with this scheme, as designed.

5 CONSULTATION

- 5.1 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 notices were published, the public had up to 21 days to respond.
- 5.2 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.
- 5.3 Organisations such as the 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. No comments were received from any of these organisations.

6. FINANCIAL CONSIDERATIONS

There is a revenue budget of £50k for CPZ undertakings and £50k for Footway Parking and Disabled Bays, from which these commitments if approved will be funded. 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 remain £50k un-allocated to be utilised in 2020/2021.

6.1 Revenue and Capital consequences of report recommendations

	Current Financial Year 2020/21 £'000	M.T.F.S – 3 year Forecast		
		2021/22 £'000	2022/23 £'000	2023/24 £'000
<u>Revenue Budget</u>				
available				
Expenditure	100	0	0	0
Income	0	0	0	0
<u>Effect of Decision from Report</u>				
Expenditure	14	0	0	0
Income	0	0	0	0
Remaining Budget	86	0	0	0
<u>Capital Budget</u>				
available				
Expenditure	0	0	0	0
Effect of Decision from report				
Expenditure	0	0	0	0
Remaining Budget	0	0	0	0

6.2 The effect of the decision

- 6.2.1 The cost of introducing controlled parking into the South Croydon Area has been estimated at £14,400. This includes the supply and installation of signs, lines and a contribution towards the legal costs.
- 6.2.2 These costs can be contained within the available revenue budgets for 2020/21.

6.3 Risks

- 6.3.1 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.

6.4 Options

- 6.4.1 An alternative option is to introduce a Residents Only parking scheme. Virtually all permit schemes in the Borough are shared-use with Pay & Display users and this offers the greatest flexibility for drivers who may be visitors to residents and businesses in the area or the minority of commuters who are willing to pay for all day parking.

6.5 Savings/ future efficiencies

- 6.5.1 If controlled parking is introduced future income will be generated from paid for parking (Pay by Phone), together with enforcement of these controls through the issue of Penalty Charge Notices. CPZ schemes have typically been proven to be self-financing usually within 4 years of introduction.
- 6.6 Approved by: Felicia Wright Head of Finance - Place

7 COMMENTS OF COUNCIL SOLICITOR AND MONITORING OFFICER

- 7.1 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.
- 7.2 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.
- 7.3 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.

7.4 Recent High Court judgment confirms that 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.

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

8. HUMAN RESOURCES IMPACT

8.1 Enforcement of extended parking controls will require increased enforcement duties by Civil Enforcement Officers. It is anticipated that this additional enforcement can be undertaken using existing resources.

8.2 Approved by: Jennifer Sankar, Head of Human Resources.

9. EQUALITIES IMPACT

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

10. ENVIRONMENTAL IMPACT

10.1 There are no environmental impacts arising from this report.

11. CRIME AND DISORDER REDUCTION IMPACT

11.1 There are no crime and disorder reduction impacts from this report.

12. REASONS FOR RECOMMENDATIONS

12.1 The recommendation is not to proceed with the proposed scheme as there isn't widespread support for the scheme among residents of Bynes Road.

13. OPTIONS CONSIDERED AND REJECTED

- 13.1 An alternative option is to introduce the parking controls. Residents broadly do not support the proposal, clearly they are happy with the current availability of parking spaces.
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BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972