

REPORT TO:	TRAFFIC MANAGEMENT ADVISORY COMMITTEE 8 July 2020
SUBJECT:	CHEYNE WALK AREA – OBJECTIONS TO THE PROPOSED EXTENSION OF THE FREE PARKING ZONE
LEAD OFFICER:	Shifa Mustafa, Executive Director of Place
CABINET MEMBER:	Councillor Stuart King, Cabinet Member for Environment, Transport and Regeneration (Job Share)
WARDS:	Addiscombe East
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 response received to the formal consultation to extending the existing Croydon Controlled Parking Zone (free parking area) into Cheyne Walk, Carlisle Road, Annandale Road and Fryston Avenue with a combination of free unlimited time parking bays and yellow line waiting restrictions between the bays operating 9am to 5pm, Monday to Friday.
1.2	Agree for the reasons detailed in this report to extend the Croydon Controlled Parking Zone (free parking area) into the above area except Fryston Avenue as shown on drawing number PD - 420.
1.3	Inform the objector 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 (free parking area) into Cheyne Walk, Carlyle Road, Annandale Road and Fryston Avenue.
- 2.2 The outcome of the informal consultation was reported to the Executive Director of Place on 6 December 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 A petition signed by residents from a majority of households in Cheyne Walk was received in June 2018 requesting that the Council introduce parking controls with a combination of free parking bays and yellow line waiting restrictions operating 9am to 5pm, Monday to Friday. The petition instigated the informal consultation process.
- 3.2 Currently residents in the Cheyne Walk area suffer from commuter parking as this area is close to the Sandilands Tramstop and bus routes to Central Croydon. Commuter vehicles can be parked close to junctions and driveways causing access and safety concerns. Nearby roads have free parking bays located away from junctions and driveways with single yellow lines mostly operating Monday to Friday. These parking schemes allow commuters to park in a managed way acting as a buffer between paid for parking bays and unrestricted parking.
- 3.3 The informal consultation on a possible extension of the free parking scheme was carried out from 10 September 2019 to 4 October 2019 and involved a consultation newsletter and plan, being distributed to all properties in the consultation boundary. A questionnaire was also included for residents to submit their views to the proposal, see appendix 1.
- 3.4 77 properties were consulted with 45 properties responding giving a response rate of 58%. The feedback to the informal consultation can be seen in Table 1 below, a summary identifies 49% in support and 51% object to the proposal, however the majority of objection is from Fryston Avenue and would likely be subject to displaced parking should the proposed scheme be introduced excluding Fryston Avenue.

Table 1 Feedback to the informal consultation.

Road	Properties	Responded	Support	Object
Annandale Road	12	7	3	4
Carlyle Road	22	12	7	5
Cheyne Walk	16	11	9	2
Fryston Avenue	23	13	3	10
Harriet Gardens	4	2	0	2
Totals	77	45	22	23

- 3.5 It was agreed to introduce parking controls in this area, including Fryston Avenue where a negative response was received, subject to formal consultation. The public notice was published on 6 February and all affected residents were written to.
- 3.6 Two objections were received and an e-mail of support during the 21 day consultation period.

4. OBJECTIONS, RESPONSE & SUPPORT

4.1 Objection 1

- 4.1.1 A resident of Fryston Avenue decided to undertake their own survey to determine whether the views of residents had changed since the original consultation and public notice. They sent the following letter to households in Fryston Avenue Annandale Road and Carlyle Road:

Proposal by Croydon Council for a controlled parking zone in Cheyne Walk, Annandale Road, Carlyle Road and Fryston Avenue

Dear neighbour

You will have received a letter dated 30th January from Croydon Council's Parking Design Manager (David Wakeling) indicating their intention to recommend installation of their proposal. I have been in communication with David Wakeling and he has agreed to my proposal to send this letter to you all. Firstly let me show you the response to Croydon Council's initial letter of 10th September: As Table 1 above

It is clear that the residents of Cheyne Walk are strongly in favour of the proposal, and indeed they started this process by raising a petition to the Council. Carlyle Road are marginally in favour, Annandale Road marginally against, and Fryston Avenue strongly against. Harriet Gardens have now been removed from the proposal. David Wakeling has indicated that it would be possible to exclude any of the roads in the proposal according to the wishes of the residents of that road. This means that Cheyne Walk could have the scheme introduced in their road, and any other road could be included.

David has pointed out that if the scheme is introduced in Cheyne Walk, there may be an increased spill-over of commuter parking in adjoining roads because of the limitation of parking space in Cheyne Walk. I therefore felt it right that the residents of the other three roads should be given the opportunity of reconsidering their vote on the assumption that the scheme will be introduced in Cheyne Walk. David has agreed that the response to this new vote will be presented to the Council and taken into account in their final decision.

You may consider that the scheme will have little effect on the problem of commuter parking, and will create a greater problem that visitors to our houses will be unable to park their cars anywhere in our roads because all marked spaces will be occupied and yellow lines will prevent parking even across our own driveways.

*Please therefore vote YES/NO for the introduction of the proposed scheme only in your own road. You can reply to me by email to ***** or by writing YES or NO at the foot of this page and dropping it into my letterbox at *****. I must receive all replies by Sunday 8th March. **PLEASE also write your house number and street below or in your email!***

4.1.2 The results of this resident's consultation are as follows:

Road	Properties	Responded	Support	Object
Annandale Road	12	5	2	3
Carlyle Road	22	7	3	4
Fryston Avenue	23	12	1	11

4.1.3 There is mention in the correspondence with this resident that some respondents felt that free parking would be a precursor to the introduction of a residents permit scheme and would be seen as a money making scheme.

4.2 Response 1

4.2.2 Although consultations organised by residents have to be treated with caution it is clear that there is little support for parking controls in Fryston Avenue despite the knowledge that controls could be introduced in the surrounding roads.

4.2.3 There are no proposals to extend the Permit / Paid for scheme into this area as the majority of residents have ample off-street parking and such a scheme is likely to result in a displacement of parking into nearby unrestricted roads. It is worth noting that controlled parking with free parking bays have been present in many nearby roads since the 1990s. The purpose of the proposals is to manage the commuter parking by ensuring driveways and junctions are accessible and road safety is maintained rather than increasing revenue for the Council.

4.3 Objection 2

4.3.1 A resident of Carlyle Road is objecting to the proposals on the following grounds:

- The loss of 10 parking spaces in the road will add to pressure on parking in the surrounding area.
- Road markings and signs will urbanise the area adversely affecting the

suburban feel of the area.

- Reduced parking in the road will result in the speed of traffic increasing.

4.4 Response

- 4.4.1 Our calculations show that potentially up to 6 parking spaces will be lost in Carlyle Road but these are in areas which currently could cause issues for residents. It is calculated that the majority of vehicles currently parking in the area will still be able to park within the marked bays with minimal displacement to the surrounding area.
- 4.4.2 Although yellow lines and marked bays will be necessary for the scheme signage will be minimised with only zone entry signs required. There has been parking controls with similar markings in the surrounding area, including the Whitgift estate, with minimal impact on the 'feel' of the area.
- 4.4.3 It is very unlikely that a slight reduction in parked vehicles in Carlyle Road will result in the increase in the speed of traffic. This road experiences a very low flow of traffic and is not on a particular route to avoid any congestion in the area.

4.5 Support

- 4.5.1 An e-mail of support has been received from a resident of Annandale Road who currently experiences issues with commuters.

4.6 Conclusion

- 4.6.1 Due to the objections mainly from Fryston Avenue and results of both the Council's and the residents consultations it is proposed to extend parking controls only in Cheyne Walk, Carlyle Road and Annandale Road and to monitor parking issues and possible complaints / requests in surround roads for future review.

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.

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.

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	M.T.F.S – 3 year Forecast		
	2020/21	2021/22	2022/23	2023/24
	£'000	£'000	£'000	£'000
<u>Revenue Budget available</u>				
Expenditure	50	0	0	0
Income	0	0	0	0
<u>Effect of Decision from Report</u>				
Expenditure	8	0	0	0
Income	0	0	0	0
Remaining Budget	92	0	0	0
<u>Capital Budget available</u>				
Expenditure	0	0	0	0
<u>Effect of Decision from report</u>				
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 parking controls in the Cheyne Walk area has been estimated at £8,000. 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 The alternative option would be not to introduce controls in this area which will result in continued parking problems for residents..

6.5 Savings/ future efficiencies

6.5.1 Introducing parking controls in this area would result in potential income from Penalty Charge Notices.

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 & 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.

REPORT AUTHOR:

David Wakeling, Parking Design Manager
Highway Improvements, Parking Design
020 8762 6000 (ext. 88229) or
07771 977 158

CONTACT OFFICER:

David Wakeling, Parking Design Manager,
Highway Improvements, Parking Design
020 8726 6000 (Ext. 88229) or
07771 977 158

BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972