

REPORT TO:	Traffic Management Advisory Committee 7 July 2021
SUBJECT:	Objections to Proposed Introduction of Waiting & Loading Restrictions
LEAD OFFICER:	Sarah Hayward, Interim Executive Director of Place
CABINET MEMBER:	Councillor Muhammad Ali, Cabinet Member for Sustainable Croydon
WARDS:	Coulsdon Town, Crystal Palace & Upper Norwood, Fairfield, Shirley South and Thornton Heath.
CORPORATE PRIORITY/POLICY CONTEXT:	
<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"> • 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	
<p>That the Traffic Management Advisory Committee recommend to the Cabinet Member for Sustainable Croydon that the Cabinet Member:</p>	
<p>1.1 Consider the objections received to introduce waiting and loading restrictions in the locations listed below, including officers' recommendations in response to these objections.</p>	
<p>1.2 Agree for the reasons detailed in Section 3 to introduce amended proposals for waiting or loading restrictions at the locations below, illustrated in amended drawings PD424e, PD424m, PD430c, PD424r and PD424f.</p> <ul style="list-style-type: none"> • Hermitage Road – Crystal Palace & Upper Norwood • Heath Road j/w Norbury Road & Luna Road – Thornton Heath 	

- Keeley Road – Fairfield
- Luna Road j/w Milner Road – Thornton Heath.
- Milner Road j/w Hamilton Road – Thornton Heath.
- Tanglewood Close – Shirley South
- Grove Wood Hill and The Chase – Coulsdon Town.

1.3 Delegate to the Public Realm Directorate the authority to make the necessary Traffic Management Orders under the Road Traffic Regulation Act 1984 (as amended) in respect of the above proposals.

1.4 Inform the objectors of the decisions.

2. EXECUTIVE SUMMARY

- 2.1 Requests have been received for waiting or loading restrictions to be introduced at various sites, mainly from members of the public where parked vehicles are causing either physical obstructions or obscuring sight lines. Following these requests and site visits by engineers to assess the access and obstruction issues raised, authority was obtained to delegate to the Highways Improvement Manager, Streets Directorate, the power to give notice and subject to receiving no material objections make the necessary Traffic Management Orders under the Road Traffic Regulation Act 1984 (as amended) in respect of the sites concerned. Any material objections received on the giving of public notice were to be reported to the Executive Director, Place, or referred to the Traffic Management Advisory Committee (Annexes 1 and 2 refer).
- 2.2 The purpose of this report is to enable consideration of the twelve material objections received from members of the public following the formal consultation process on the proposals to introduce waiting or loading restrictions in Heath Road, Hermitage Road/Ryefield Road junction, Keeley Road, Milner Road, Tanglewood Close and Grove Wood Hill and The Chase. The formal public notice to introduce the proposals was published on 13 May 2021 and the public had up to 21 days to respond.
- 2.3 Officers have fully considered the objections and this report details the objections and the Officers' recommendations in response to these.

3. BACKGROUND

- 3.1 The requests for (mostly) new yellow line waiting restrictions were received mainly from the public and are prioritised and programmed into the Parking Design's workload. The sites were included in a report for delegated authorisation through the Executive Director of Place to introduce the restrictions subject to formal consultation (public notice stage). The sites chosen for yellow line waiting restrictions were on the basis of securing the expeditious, convenient and safe movement of vehicular and other traffic including vulnerable road users such as pedestrians and cyclists.

4. OBJECTIONS AND RESPONSES

4.1 Following a public notice of the proposals to introduce these restrictions, a total of twelve objections have been received to the proposals in Heath Road, Hermitage Road/Ryefield Road junction, Keeley Road, Milner Road, Tanglewood Close and Grove Wood Hill and The Chase. The stated grounds for the objections and the officers' responses and recommendations are outlined in the paragraphs below.

4.2 Hermitage Road/Ryefield Road Junction - Crystal Palace & Upper Norwood

An objection was received to the proposed "at any time" waiting restriction at this junction. The objection was raised by a resident on the grounds that:

- The double yellow line should extend across the entry gates to our property to protect access and it should continue for a minimum one meter after our gates, for us to be able to go in and out.

4.3 Officers' Response

Ten metre lengths of double yellow line were proposed at either side of this junction in accordance with the recommendation contained in the Highway Code that vehicles should not be parked within ten metres of a junction unless they are within an authorised parking bay. However, it is recognised that the proposed double yellow lines do not extend across the resident's vehicular access, and consequently there is a possibility that vehicles displaced from parking at the junction by the restrictions would block the resident's driveway. In view of this, it is proposed to extend the proposed double yellow lines across the vehicular access in Ryefield Road, as shown in amended drawing No. PD424e. It is not proposed to extend the restrictions for a further metre across the neighbouring property, as suggested by the objector, as the amended restrictions should be sufficient for safe access and egress.

4.4 Heath Road Junction with Norbury Road & Luna Road – Thornton Heath

An objection was received to the proposed "at any time" waiting restriction at this junction. The objection was raised by a resident on the grounds that:

- The proposed restrictions will reduce parking spaces and cause friction between residents
- The proposals should be sign-posted publicly

4.5 Officers' Response

The proposed ten metre lengths of double yellow line at this junction were put forward in response to complaints of obstructive parking. Whilst it is accepted that the proposals would reduce the amount of available parking space, this only affects locations close to corners where drivers are recommended not to park by the Highway Code. However, in response to the objector's concerns about preserving as much parking space as possible, it is proposed to reduce the restrictions from ten to seven metres at this junction as shown in amended drawing No. PD424m.

4.6 With regard to publication of the proposals, these were advertised in the local press, the London Gazette and on the Council's website, in addition to notification letters and plans being sent to affected frontages.

4.7 **Luna Road Junction with Milner Road and Milner Road Junction with Hamilton Road – Thornton Heath**

Five residents objected to the proposed "at any time" waiting restrictions at these junctions. The objections they raised were on the grounds that:

- The proposed restrictions will reduce parking spaces and cause friction between residents.
- The lengths of restriction are excessive.
- Where will delivery vehicles park if these restrictions are introduced?
- There do not seem to be any current parking issues – why are these restrictions being proposed?
- Who would want to buy a house with double yellow lines across the frontage?

4.8 **Officers' Response**

The restrictions are confined to junctions and bends in Milner Road where parking is not ideal, and have been proposed in response to complaints about obstruction, safety and access concerns in these locations. The lengths of the proposed restrictions were considered to be a proportionate response to the problems reported by complainants. Whilst double yellow lines prohibit waiting at any time, they do not prevent vehicles from stopping on them for loading and unloading purposes for up to forty minutes, so delivery vehicles would not be affected. There is no evidence to suggest that parking restrictions affect house prices and they can often be perceived as a positive thing, protecting access and sightlines and preventing obstruction.

4.9 However, in view of the strength of feeling expressed by the residents and in order to reduce the impact on available parking space, it is proposed to reduce the proposed restrictions to seven metres in length at all junctions and to remove the double yellow lines in Milner Road opposite the junction with Hamilton Road from the proposals, as shown on amended drawing No. PD424m.

4.10 **Keeley Road - Fairfield**

An objection was received to the proposed "at any time" waiting and loading restrictions outside Nos. 38 and 39 Keeley Road. The objection was raised by a Community Centre based in Keeley Road on the grounds that:

- They are based next to the accessible entrance to the Centrale Shopping Centre and have many user groups with access limitations (e.g. wheelchair users, blind groups and adults with learning difficulties and Autism) who benefit from ease of access via the lift in Centrale, which is close by, and also by being close to the street entrance where they can be dropped off and picked up by carers or family members. They also have domestic violence survivors attending recovery sessions who benefit from the reduced risk from their perpetrators by arriving and leaving by the front door and being able to be dropped off close by.

- They run a foodbank with food parcels delivered on Mondays and Tuesdays and volunteer drivers to deliver the food. Deliveries and collections require a brief ten to twenty minute period to load/unload outside the front door.

4.11 **Officers' Response**

The upgraded waiting and loading restrictions in Keeley Road were proposed following a site meeting with a representative of the Centrale Shopping Centre, who was concerned that parking either side of their goods entrance was obstructing access and egress for large delivery vehicles. The current restrictions in Keeley Road operate from 8am to midnight, Monday to Sunday (waiting) and from 9am to 5pm, Monday to Sunday (loading). During the loading restrictions vehicles should not be parking on the yellow lines, even to load and unload goods, and disabled Blue Badge holders are also prohibited from parking. As a result of the site meeting, it was proposed to upgrade both sets of restrictions to operate "at any time".

4.12 Whilst the proposed loading restrictions would prevent vehicles parking, even to load or unload, they would not prevent vehicles stopping whilst dropping off or picking up a passenger. This means that vulnerable and disabled visitors would still be able to be dropped or collected at the front door of the Community Centre.

4.13 However, in view of the other issues raised by the objector, it is proposed to abandon the proposal for extended loading restrictions and to proceed with the upgrading of the existing single yellow line to double yellow lines only. This will mean that drivers loading or unloading their vehicles will continue to be permitted to park outside the Community Centre to do so before 9am and after 5pm, as they are now, which should assist collections and deliveries of food parcels for the food bank. Disabled Blue badge holders will still be able to be dropped off and collected in front of the Community Centre between 9am and 5pm, when the loading restrictions are in force, but will be prohibited from parking there for any longer than this process takes during these times. It is hoped that the upgraded waiting restrictions will deter parking outside of the times when loading restrictions are in force, in order to assist Centrale's large delivery vehicles by keeping the area near the entrance clear. The amended proposals are shown in drawing No. PD430c.

4.14 **Tanglewood Close – Shirley South**

An objection was received to the proposed five metre extension to existing "at any time" waiting restrictions on the north-west side of this junction. The objection was raised by a resident on the grounds that:

- The resident supports the extension of restrictions but feels they should be extended by a further five metres as this would make it safer for traffic entering and leaving the Close.
- The Close is often used for large vehicles turning round and this further extension would assist them to do this more easily.
- Pedestrians crossing the Close, particularly those going to and from school would have a clearer view of the traffic in the Close, which is much busier now.

- The proposed restrictions are good but could be improved by an extension which would assist access and safety and prevent parking in a situation where traffic volumes are increasing.

4.15 **Officers' Response**

The proposed five metre extension of existing restrictions at this junction was considered to be sufficient to deal with the issues raised by local residents with regard to safety, access and obstruction issues. However, it is accepted that an additional five metre extension would be more effective at dealing with the issues the resident has raised, and therefore it is proposed to extend the double yellow lines on the north-west side of the junction by ten metres as shown in amended drawing No. PD424r.

4.16 **Grove Wood Hill and The Chase – Coulsdon Town**

Three objections were received to the proposed double yellow lines outside and opposite Nos. 30 and 32 Grove Wood Hill (one objection) and Nos. 28 and 30 The Chase (two objections). The objections are on the grounds that:

- The objectors cannot see how the restrictions will meet the objective of providing increased visibility in The Chase as drivers will now enter the cul-de-sac, be unable to park safely due to the restrictions, and either be forced to turn around or park dangerously in front of driveways or on kerbs.
- The objectors cannot see how the restrictions will meet the objective of preventing obstructive parking in The Chase as their driveways are obstructed every day and the proposed restrictions will result in the same number of drivers having fewer spaces to park, resulting in anti-social parking across driveways. Reducing parking without banning it altogether on the road will only cause drivers to park more obstructively on the road.
- The intention stated in the public notice cannot be met by the actions of the Order. The objector feels that the traffic in The Chase, which is a cul-de-sac, presents a clear danger to everyone every morning and needs to be banned – restricting parking will only make the chaos worse. The council should close the alleyway or ban parking on the road during this time or put the lines along a much greater part of the road across the alleyway to the top of the road deterring drivers from coming up the road in the first place.
- The parking department needs to address the parking issues at the entrance of The Chase. This situation did not exist prior to the school restrictions implemented in Meadow Rise and Dunsfold Rise. The left turn into The Chase from Woodcote Grove Road is a blind turn and when trying to exit The Chase if there are vehicles parked to the left it is necessary to be positioned towards the centre of the road which often leads to a situation (which occurs regularly during the day at school drop off and pick up times) where vehicles approaching from Woodcote Grove Road and trying to turn in have to make a sudden stop. There is regular congestion at the junction of the road at the mentioned times of the day which is not in keeping with the desired reduction in air pollution - unless the aim is to remove the traffic and resulting air pollutants from the

immediate school environment and inflict them on the closest streets instead.

- A double yellow line simply discriminates and penalises the residents of Grove Wood Hill. The road is virtually empty throughout the day apart from school drop off and pick up times. The length of the restriction is also excessive.
- If parents and guardians currently give no consideration to parking across residents' driveways in Grove Wood Hill they will simply ignore a yellow line unless it is stringently enforced.

4.17 **Officers' Response**

Following the introduction of a school pedestrian zone in Fairfield Way, Dunsfold Rise and Meadow Rise, an increasing number of parents and guardians are using the alleyway (footpaths 158 & 159) parallel to Woodcote Grove Road that runs between Howard Road and Woodcote Primary School to take their children to the school. Parking close to the alleyway in Grove Wood Hill and The Chase has caused increasing concern for the safety of children crossing these roads and consequently it was proposed to introduce sections of double yellow line 'At any time' waiting restrictions across the entrances to the alleyways to increase sight lines for pedestrians and drivers.

- 4.18 The proposed restrictions meet the objectives of increasing visibility and reducing obstruction in that they provide an area free of parking where children and parents/guardians can cross the road more safely, unobstructed by parked vehicles. They also provide a passing place for vehicles.
- 4.19 The restrictions are considered to be required in order to alleviate the reported difficulties of parents/guardians and children crossing the road to use the footpath without an excessive reduction in available parking spaces. A wider scheme involving additional waiting restrictions and marked bays (either free or requiring a permit to park) could be considered if a supporting petition was received from 50% or more households in Grove Wood Hill and/or The Chase.
- 4.20 Stopping up (closing) the footpath is not an option as the legal process to achieve this requires the Council to provide evidence that the footpath is unnecessary or that a nearer or more commodious (convenient) alternative will be provided. Neither of these is the case. It is also not possible to include Grove Wood Hill or The Chase in the School Streets scheme to prevent traffic entering the road at school pick-up and drop off times, as these schemes are only implemented in roads that have a school entrance.
- 4.21 The objector's comments about the problems with obstructive parking at the junction of The Chase with Woodcote Grove Road have been noted and this location has been added to a list of locations where additional waiting restrictions have been requested for future investigation.
- 4.22 However, in view of the limited duration of the problem in the streets concerned, as described by the objectors, it is proposed to abandon the proposal to introduce double yellow line "at any time" waiting restrictions and to replace these with a single yellow line operating at school drop-off and pick

up times only (i.e. 8 to 9.30am and 2.30 to 4.00pm, Monday to Friday). It is also proposed to reduce the length of the restriction in Grove Wood Hill, as shown in amended drawing No. PD424f. This should improve the situation with regard to safety and visibility for children crossing the road to use the footpaths during school pick-up and drop off times, but reduce the impact on parking spaces for residents outside of these periods. It is accepted that regular enforcement of any restriction is required but it is also officers' experience that the presence of yellow line restrictions deters parking where drivers see that the restrictions are necessary, as they are in this case.

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 notice was published, the public had up to 21 days to respond.
- 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 writes to affected frontages to inform them of the proposals.
- 4.2 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.

5. 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 £93k unallocated to be utilised in 2021/2022.

5.1 Revenue and Capital consequences of report recommendations

	Current Financial Year 2021/22 £'000	M.T.F.S – 3 year Forecast		
		2022/23	2023/24	2024/25
		£'000	£'000	£'000
<u>Revenue Budget available</u>				
Expenditure	100	0	0	0
Income	0	0	0	0
<u>Effect of Decision from Report</u>				
Expenditure	7	0	0	0
Income	0	0	0	0
Remaining Budget	93	0	0	0
<u>Capital Budget available</u>				
Expenditure	0	0	0	0
Effect of Decision from report				
Expenditure	0	0	0	0
Remaining Budget	0	0	0	0

5.2 The effect of the decision

5.3 The cost of introducing new waiting restrictions at all the sites originally on the public notice, including advertising the Traffic Management Orders and associated lining and signing has been estimated at £6,800.

5.4 These costs can be contained within the available revenue budgets for 2021/22.

5.5 Risks

5.6 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 lines and the supply and installation of any 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.

5.7 Options

5.8 The alternative option is to not introduce the parking restrictions. This could cause traffic obstruction and have a detrimental effect on road safety.

5.9 Savings/ future efficiencies

- 5.10 No further savings have been quantified, although new parking restrictions do make an income contribution to the revenue budget. The introduction of these proposals would increase the potential to recover income in this way.
- 5.11 Approved by: Geetha Blood, Interim Head of Finance, Place and Resources on behalf of S151 officer.

6 COMMENTS OF COUNCIL SOLICITOR AND MONITORING OFFICER

- 6.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that:
- 6.2 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.
- 6.3 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.
- 6.4 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.
- 6.5 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.

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

7. HUMAN RESOURCES IMPACT

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

7.2 Approved by: Jennifer Sankar, Head of HR Place & Housing, for and on behalf, of Sue Moorman, HR Director on 22 June 2021.

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 There are no environmental impacts arising from this report.

10. CRIME AND DISORDER REDUCTION IMPACT

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

11. REASONS FOR RECOMMENDATIONS

11.1 The recommendations are for new waiting restrictions at locations across the Borough where there are particular concerns over safety and access due to obstructive parking. At each location surveys have been undertaken which confirm that road safety issues exist and double/single yellow lines or loading restrictions as appropriate, would encourage the safe movement of vehicular and other traffic (including pedestrians).

12. OPTIONS CONSIDERED AND REJECTED

12.1 Instead of double yellow line waiting restrictions the alternative would be to introduce single yellow line daytime restrictions. However, as most of the above locations are at junctions and other locations where parking could create obstruction at any time, double yellow lines are more appropriate as they reduce obstructive parking at all times. In locations where single yellow lines would be most effective, they have been proposed to be introduced.

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APPENDICES:

Appendix 1 – Proposed Waiting Restrictions at Hermitage Road junction with
Ryefield Road

Appendix 2 – **Revised:** Proposed Double Yellow Lines at:

- Heath Road Junction with Norbury Road
- Lunar Road Junction with Milner Road
- Milner Road junction with Hamilton Road

Appendix 3 – **Original:** Proposed Double Yellow Lines at Milner Road junction
with Hamilton Road, Heath Road, Luna Road and Norbury Road

Appendix 4 – Proposed 'At Any Time' Loading restrictions at Keely Road

Appendix 5 – **Revised:** Proposed Waiting Restrictions Opposite
Alleyways/Footpaths at Grovewood Hill and The Chase

Appendix 6 – **Original:** Proposed Waiting Restrictions Opposite
Alleyways/Footpaths at Grovewood Hill and The Chase

BACKGROUND PAPERS:

Local Government Act 1972