

**Report for:** Record of Decision Taken Under Delegated Authority


**Item number:**

**Title:** Report of statutory consultation into extending Fortis Green CPZ

**Report authorised by:** Head of Operations:



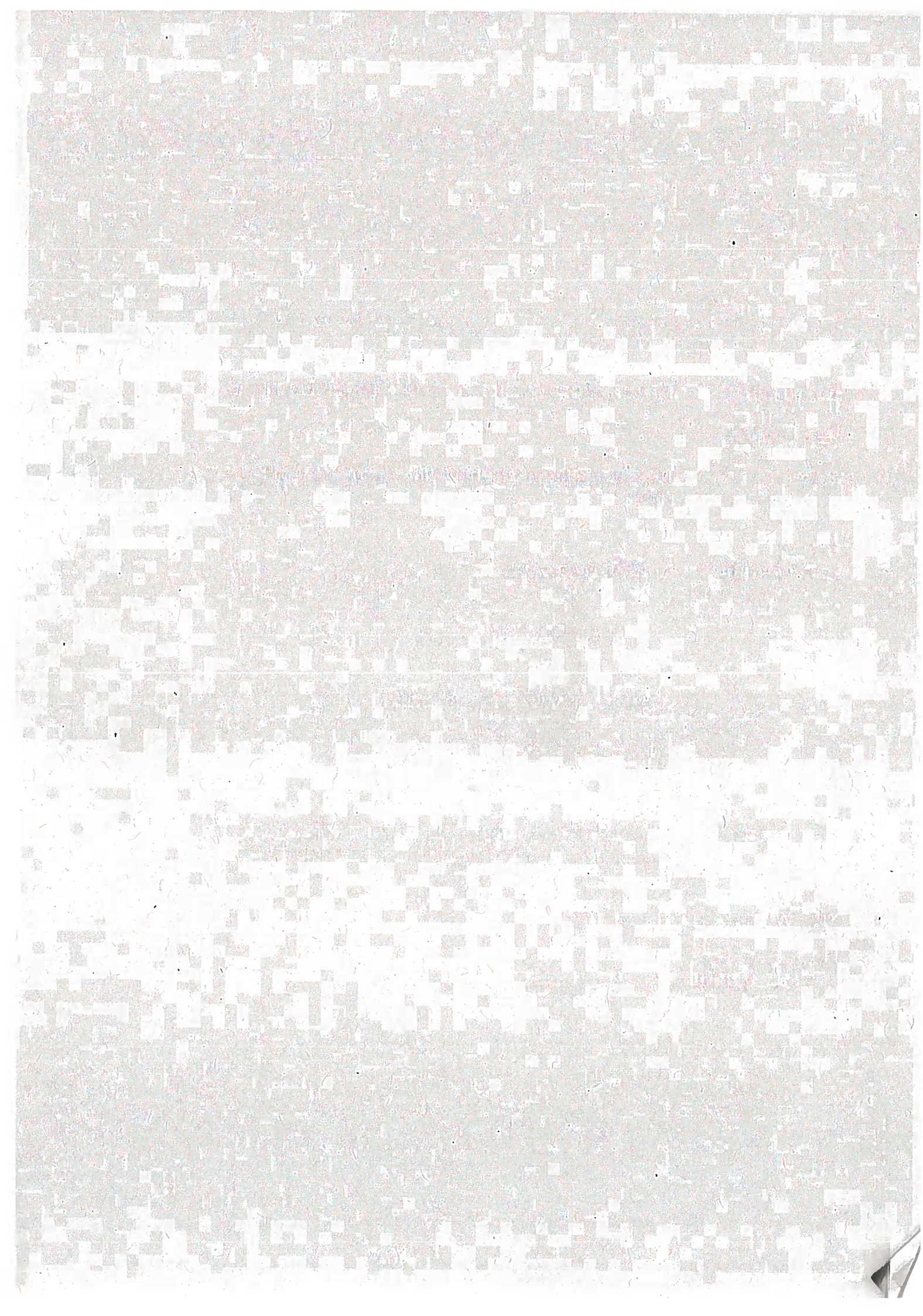
**Cabinet Member for Environment:**



**Lead Officer:** Vincent Adenowo, River Park House, 1<sup>st</sup> Floor, N22 7TR,  
[vincent.adenowo@haringey.gov.uk](mailto:vincent.adenowo@haringey.gov.uk), 020 8489 5143

**Ward(s) affected:** Fortis Green

**Report for Key/  
Non Key Decision:** Non key decision



## **1.1 Purpose**

- 1.2 To report the feedback from the statutory consultation carried out in July / August 2018 for the extension of Fortis Green CPZ. The report will set out officers' responses to the representations received during statutory consultation and provide clear recommendations on whether the existing CPZ should be extended.**
- 1.3 To seek approval to proceed with the recommendations as set out in section 9 of this report.**

## **2.1 Background**

- 2.2 The roads to the east of the existing Fortis Green CPZ are currently uncontrolled and according to residents, suffer from displacement parking.**
- 2.3 We carried out public consultation in autumn 2016 in Fortis Green and Muswell Hill wards to ascertain residents' views about parking in the area. The feedback from that consultation helped us identify a smaller area, near the shops in Muswell Hill, where there was support for parking controls.**
- 2.4 In September 2017 we informed residents of our intention to consult residents again and in July 2018 we commenced statutory consultation to extend the Fortis Green CPZ to Lauradale Road, Annington Road, Keynes Close, Fortis Green Avenue and Midhurst Avenue and Church Vale. See Appendix I for consultation document.**

## **3.1 Statutory consultation**

- 3.2 In order to introduce parking controls and legally enforce their use, the Council, as the Highway Authority, are required to enter into a period of consultation known as statutory consultation. This is the legal part of the process required before modifying / implementing parking controls. In summary, before making an order to modify / implement parking controls, the council must notify its intentions in the London Gazette and local press providing a period of 21 days for any interested party to make representation. In addition, although not a requirement, it is also good practice to advertise on the site where the measures are proposed.**
- 3.3 As part of the statutory process, the views of the following bodies are also sought: Transport for London, London Travel Watch, One Search Direct, Police (local), Fire Brigade, London Ambulance Service, Freight Transport Association, Road Haulage Association, Metropolitan Police (traffic), Haringey Cycling Campaign and Arriva Buses.**
- 3.4 Before making the relevant Traffic Management Orders the council must consider all representations submitted in response to the statutory consultation**

- 3.5 If the Council is satisfied that it has addressed all representations received, a Notice of Making can then be published in the London Gazette and local press notifying the date when the Traffic Management Order will come into operation. At this time, notification letters will also be distributed to all properties within the area where parking controls are to be implemented. The notification letters will provide information of when the works will take place, the operational date of the new parking controls and how to apply for a permit
- 3.6 The Council conducted statutory consultation from 29 June to 3 August 2018. The documents were delivered to all properties in the roads mentioned above in paragraph 2.4. The statutory consultation document outlined the proposal to extend Fortis Green CPZ and invited comments. A copy of the document can be found in Appendix I.
- 4.1 Representations received during Statutory Consultation
- 4.2 A total of 88 representations were received during the statutory consultation period with 72 in favour of parking controls and 12 opposed. The remaining 4 expressed other views.
- 4.3 Residents of Lauradale Road submitted a petition containing 36 signatures requesting the extension of parking controls to their road.
- 4.4 Another petition, signed by 49 residents of Fortis Green Avenue, had previously been submitted also requesting inclusion in any future CPZ. The petition was originally submitted in November 2017. Midhurst Avenue also submitted a petition in December 2017 requesting that parking controls be extended to their road.
- 4.5 A petition was also submitted by residents of Woodside Cottages, Fortis Green Cottages and Denmark Terrace. These properties lie on Fortis Green and residents have traditionally parked in the roads now proposed to be included in the Fortis Green CPZ. The petition requested that eligibility to purchase permits to park in the zone be extended to their properties as well. The petition was also signed by Annington Road residents.
- 4.6 The objections have been summarised and addressed below:
- 4.7 Objection: We don't have any problem with the parking around here.
- Council response: We accept that not all residents believe there is a parking problem in the area. However, it would appear that the majority view, judging by the feedback from statutory consultation and previous consultations, is that there is a significant issue which residents would like the Council to address.
- 4.8 Objection: I object due to the cost of annually purchasing residents permits.

**Council response:** The cost of residents and visitors permits in Haringey is quite competitive compared to neighbouring London boroughs. As all CPZs must be self-financing the costs set for permits must reflect this.

- 4.9 **Objection:** The Manor [Health & Leisure Club] objects to this CPZ in its totality. We are an established business providing health and well-being to the mainly local and sometimes not so local community. Many of our members are not so young as to be able to jump in a bicycle and / or walk and we have a huge variation in age groups. We employ staff and are in direct competition with many budget clubs and other local health clubs. Of grave concern is the fact that Haringey Council will compromise our position.

**Council response:** While the Council understands that businesses would like their customers to continue to park free of charge at all times, the reality is that the Council must balance the needs of both businesses and residents wherever parking pressures exist. The Council has received petitions from various streets in the area requesting the introduction of parking controls. Furthermore, the feedback from public consultation identified business staff and shoppers as the main cause of the parking problems in the area. The controls are proposed to operate between 11am and 1pm, Monday – Friday and the Council will introduce Pay by Phone parking to facilitate parking for shoppers. The 2-hour controls will prevent all-day commuter parking while having only a minimal impact on the ability of visitors to park.

5.1 **Chief Finance Officer Comments**

- 5.2 Provision for the implementation of the proposed measures to the CPZ was made in the Parking Plan capital budget for 2018/19.

- 5.3 Associated costs which includes community engagement, inventory of existing site conditions, design and implementation will be met from existing agreed budgets.

- 5.4 Annual running costs will be managed within existing agreed staffing arrangements and budgets.

- 5.5 Parking controls will be enforced by existing agreed in-house civil enforcement officers (CEOs). The income from permits and parking control notices has been taken into consideration in setting the annual revenue budget.

6.1 **Traffic Management Order process**

- 6.2 Before reaching a decision to make the necessary Traffic Management Order to implement or amend a CPZ scheme, the Council must follow the statutory consultation procedures pursuant to the Road Traffic Regulation Act 1984 (as amended) ("RTRA") and the Local Authorities' Traffic Orders (Procedure)(England and Wales) Regulations 1996 (as amended) ("the Regulations"). All representations received must be properly considered in the light of administrative law principles, Human Rights law and the relevant

statutory powers.

- 6.3 The Council's powers to make Traffic Management Orders arise mainly under sections 6, 9, 45, 46, 122 and 124 and schedules 1 paragraphs 1-22 the RTRA
- 6.4 The power of a local authority to make an order regulating or controlling vehicular and other traffic is contained within the ambit of section 6(2) of the RTRA.
- 6.5 When determining what paying parking places are to be designated on the highway, section 45(3) requires the Council to consider both the interests of traffic and those of the owners and occupiers of adjoining properties. In particular, the Council must have regard to: (a) the need for maintaining the free movement of traffic, (b) the need for maintaining reasonable access to premises, and (c) the extent to which off-street parking is available in the neighbourhood or if the provision of such parking is likely to be encouraged by designating paying parking places on the highway
- 6.6 By virtue of section 122, the Council must exercise its powers under the RTRA 1984 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:-
- (a) the desirability of securing and maintaining reasonable access to premises.
  - (b) 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.
  - (c) the national air quality strategy.
  - (d) facilitating the passage of public service vehicles and securing the safety and convenience of their passengers.
  - (e) any other matters appearing to the Council to be relevant.

7.1 Comments of the Assistant Director of Corporate Governance

- 7.2 The legal position and statutory requirements for consultation are set out in section 6 of the report. Public consultation has been undertaken and due consideration given to representations by the public. As long as the statutory consultation is undertaken and due consideration similarly given to representations made, there is no reason why the Council should not be entitled to proceed with its proposals in accordance with the Regulations.

## 8.1 Summary

- 8.2 Fortis Green CPZ is located in the north-west of Haringey and was originally introduced in 2007 and extended in 2010. The CPZ is fairly close to shops and a tube station, with East Finchley station being just 1 kilometre away.
- 8.3 It would appear that there has been a gradual increase in non-resident parking recently and residents have contacted the Council requesting the introduction of parking controls.
- 8.4 Petitions requesting controls be introduced have been sent in from residents in Church Vale, Midhurst Avenue, Lauradale Road, Annington Road, Fortis Green and Fortis Green Avenue.
- 8.5 Support for controls from the above-mentioned roads was reaffirmed during the statutory consultation process. See Appendix II for an analysis of the consultation feedback.
- 8.6 The feedback from statutory consultation confirmed that there is support to extend the Fortis Green CPZ.
- 8.7 CPZs help reduce commuter parking and the problems associated with traffic such as pollution and poor air quality by prioritising parking for local residents and their visitors. They also help encourage more sustainable forms of transport and are proven to be one of the most effective means to reduce congestion.
- 8.8 A Safer Haringey - Better parking management through the use of delineated parking bays and yellow lines means less obstructive and dangerous parking, especially at junctions. This in turn improves road safety. This provides a very serious risk to the council through insurance claims, resident perception and most importantly safety. Also, the introduction of CPZs has shown to reduce occurrences of ASB such as littering as residents have reported that commuters would often drop litter but as soon as the parking controls are implemented this stops.
- 8.9 The recommendations as set out in this report are in accordance with Section 3.3.3 of the Local Implementation Plan part of which states:
- 8.10 The availability of parking is a key determinant of car usage and local traffic congestion which can affect the potential uptake of more sustainable modes of travel. Local parking policy is an important demand management tool in controlling local traffic congestion and influencing choice of transport. CPZs are one of several parking policies, along with low parking standards for new developments, charging, and use of workplace parking levies, which can be used to influence travel behaviour. CPZs specifically prioritise parking for residents and can ease local parking pressures, reduce traffic congestion, improve road safety and encourage the use of more sustainable forms of transport.

8.11 The introduction of CPZs is also in line with the Council's recently agreed Transport Strategy and supports 'aims' 3) An improved air quality and a reduction in carbon emissions from transport and 4) A well maintained road network that is less congested and safer.

#### 9.1 Recommendations

9.2 It is recommended that the Cabinet Member and Head of Operations:

9.3 Note the feedback from the consultation as set out in this report.

9.4 Approve that the Fortis Green CPZ be extended to Lauradale Road, Annington Road, Keynes Close, Fortis Green Avenue, Midhurst Avenue and Church Vale.

9.5 Approve that Fortis Green CPZ operates from Monday – Friday, 11am – 1pm.

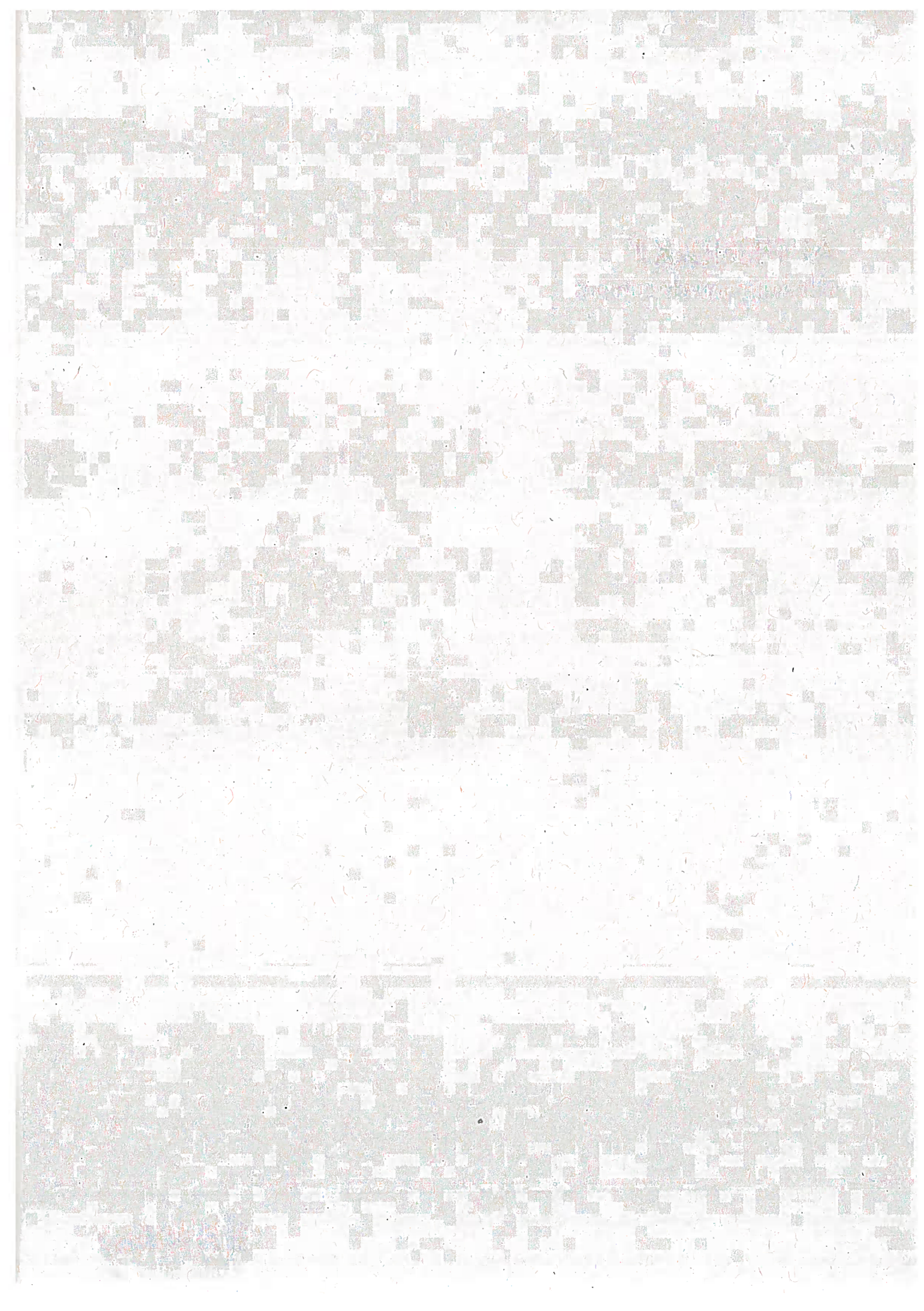
9.6 Approve that, in addition to the roads listed in paragraph 9.4 above, eligibility to purchase permits to park in the Fortis Green CPZ be extended to Denmark Terrace, Woodside Cottages, Bomarsund, Coleraine Cottages, The Copse, Long Ridges, Fortis Green Cottages and Twyford Court.

9.7 Approve that residents and traders be informed of this decision.



# APPENDIX I

Consultation document



## Traffic Management

Ann Cunningham: Head of Operations



29 June 2018

## STATUTORY CONSULTATION

### Proposed extension of Fortis Green CPZ

Dear Resident or Business,

In August 2016 we consulted residents in Fortis Green and Muswell Hill wards about parking. The feedback from consultation, in addition to petitions received subsequently, suggested that residents of certain roads just outside the existing Fortis Green CPZ would like parking controls to be extended to their road. It has therefore been agreed by the Cabinet Member that we formally consult residents in the roads to which we are proposing to extend the parking controls.

### Our proposals

We are proposing an extension to the existing Fortis Green CPZ to include Lauradale Road, Annington Road, Keynes Close, Fortis Green Avenue, Midhurst Avenue and Church Vale. The proposed operational hours will be the same as the existing CPZ i.e. Monday – Friday, 11am - 1pm.

Information on Controlled Parking Zones (CPZs) is available on our website:

<http://www.haringey.gov.uk/parking-roads-and-travel/parking/controlled-parking-zones-cpzs>

### Have your say

To enable any parking controls to be legally enforceable, we are required to enter into a stage of consultation known as statutory consultation. This is the legal part of the process and takes the form of a Public Notice advertised in the local press, London Gazette and visible locations within the area to inform of the Council's intentions.

The legal notice will be advertised on 29 June 2018 and provides a 28-day consultation period for interested parties to make representation regarding our proposal to implement parking controls. **The closing date for comments is 27 July 2018.** You should note that statutory consultation differs from informal public consultation in that any interested party can make representations, rather than restricting the consultation to a specified area. Responses are also analysed according to the comments made, rather than based on "Yes/No" responses.

If you would like to make comments or submissions, whether agreeing or objecting to the proposals, please email us at [frontline.consultation@haringey.gov.uk](mailto:frontline.consultation@haringey.gov.uk)

Alternatively, you can write to us at:

Haringey Council  
Traffic Management  
River Park House, 1<sup>st</sup> Floor

Traffic Management  
Level 5 Alexandra House  
10 Station Road, Wood Green  
London N22 7TR

020 8489 1000

[www.haringey.gov.uk](http://www.haringey.gov.uk)

225 High Road  
Wood Green  
London N22 8HQ

Comments must be received no later than **27 July 2018**.

**What Happens Next?**

Your feedback will help inform us whether residents and traders in your road would like to be included in the Fortis Green CPZ. Any comments or objections from your area will be considered by the Cabinet Member for Environment before a decision is made. If there are no valid objections to the proposals or a decision is made to proceed with the parking controls, we will then send you a further notice informing you when works will commence on site, when the scheme will come into effect and how to apply for a parking permit.

Thank you in advance for taking time to read this letter.

Yours faithfully,



Operations: Traffic Management