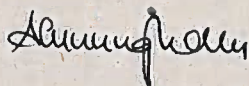


Report for: Record of Decision Taken Under Delegated Authority

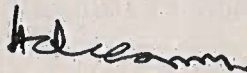
Item number:

Title: Report of statutory consultation into introducing St Luke's CPZ

Report authorised by: Head of Operations:



Cabinet Member for Environment:



Lead Officer: Vincent Adenowo, River Park House, 1st Floor, N22 7TR,
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Ward(s) affected: Fortis Green and Muswell Hill

**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 introduction of St Luke's CPZ. The report will set out officers' responses to the representations received during statutory consultation and provide clear recommendations on whether parking controls should be introduced.
- 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, from Lauradale Road to Muswell Hill Broadway and beyond, are currently uncontrolled and according to residents, suffer from displacement parking.
- 2.3 Most roads in the proposed St Luke's CPZ are close to the shops on Fortis Green Road and Muswell Hill Broadway and therefore attract shoppers and commuters. This was highlighted to us in previous consultations.
- 2.4 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
- 2.5 In September 2017 we informed residents of our intention to consult them again and in July 2018 we commenced statutory consultation to introduce St Luke's CPZ to Collingwood Avenue, Leaside Avenue, Fortismere Avenue, Birchwood Avenue, Firs Avenue, Grand Avenue, Church Crescent and the section of Muswell Hill Broadway between its junction with Woodside Avenue and Fortis Green Road. 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 mentioned above in paragraph 2.5. The statutory consultation document outlined the proposal to introduce St Luke's 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 171 representations were received during the statutory consultation period with 83 in favour of parking controls and 61 opposed. The remaining 27 expressed other views. The feedback from consultation can be found in Appendix II.
- 4.3 Residents of Collingwood Avenue submitted a petition containing 92 signatures requesting the extension of parking controls to their road
- 4.4 The objections are summarised and addressed below:
- 4.5 Objection: If the CPZ was 24/7 that would probably help but that would affect the shopping in Muswell Hill so again not any better. I object based on not seeing any advantages to existing residents.
- Council response: The operational hours of parking controls are generally based on the feedback received during public and statutory consultation. In the case of St Luke's CPZ residents feedback has told us that a 2-hour zone will adequately tackle the majority of the parking issues experienced in the area. We carry out reviews of CPZs periodically and if it is highlighted in future that the controls are inadequate then we can consider amending them.
- 4.6 Objection: This would be catastrophic for The Cherry Tree pre-school located in the Friends Meeting as parents need access to drop off and pick up their children.

Council response: The CPZ is proposed to only operate for 2 hours a day. Furthermore, parents will still be able to drop off and pick up their children as usual during the operational hours of the CPZ as our Civil Enforcement Officers observe a 5 minute observation period prior to issuing a Penalty Charge Notice.

If any businesses use their vehicles in the course of their work they would be entitled to purchase a business permit. We are happy to discuss the introduction of Pay by Phone parking with Cherry Tree pre-school if they believe it would help their business.

- 4.7 Objection: I am a resident of Collingwood Avenue and do not think the proposal will ease any of the parking difficulties [due to the proposed operational hours of 11am – 1pm]

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. If in a future review of the CPZ it is highlighted that the operational hours are insufficient then we shall consider amending the hours.

- 4.8 Objection: This will affect shop workers who will not be able to park their cars for a full day. We will not be able to park on single yellow lines at night

Council response: The Council is committed to promoting more sustainable modes of transport and would therefore encourage greater usage of public transport wherever possible. Where businesses use their vehicles in the course of their work they would still be eligible to purchase business permits. However, shop staff would no longer be able to simply commute to work and park all day as this was one of the major causes of the parking problems in the area, as highlighted by local residents during the consultation(s). As regards parking on yellow lines, the parking restrictions only operate during the operational hours of the CPZ i.e. from 11am – 1pm.

- 4.9 Objection: I would prefer to cancel the CPZ altogether or if it's not possible extend it to Twyford Court, Twyford Avenue and Ringwood Road.

Council response: We will be recommending that residents of Twyford Court be allowed to purchase permits to park in the CPZ. This is because they have traditionally parked in the roads that are now being included in the St Luke's CPZ. However, there was no support from either Ringwood Avenue or Twyford Avenue for the introduction of parking controls during public consultation or statutory consultation and therefore we are not proposing extending the controls to those roads.

- 4.10 Objection: The Council has no provision for the vast number of employees / traders to be able to park.

Council response: While the Council understands that businesses would like their staff and 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.

- 4.11 Objection: I would like to object to the proposed CPZ. I live in Grand Avenue and it is quite clear that the pressures on parking on this end of Grand Avenue (Collingwood and Leaside roads and the block in between) are from 1. builders, 2. skip licences, 3. teachers and 4. residents. Are teachers at Tetherdown primary going to be given the right to park for free in the restricted area? I believe so. I can see their cars from my window right now. The CPZ will not help with this.

Council response: School staff involved in the delivery of the curriculum are entitled to Essential Service Permits. However, the issuing of permits is contingent on the school having a Staff Travel Plan. A Staff Travel Plan can best be described as a range of measures promoting more sustainable modes of transport like walking, cycling, public transport and car-sharing. Any application for Essential Service Permits will need a Staff Travel Plan demonstrating how the school is planning to reduce its reliance on staff commuting by car. Finally, if Essential Service Permits are issued, we designate where permit holders may park and this would usually be on a road with less parking pressures.

- 4.12 Objection: We received several objections from staff at Tetherdown Primary school objecting to the CPZ because it would limit their ability to park.

Council response: Please refer to the above response in paragraph 4.11

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 The roads to the east of Fortis Green CPZ are uncontrolled and, according to residents' feedback during consultation, suffer from parking congestion. The roads in the proposed St Luke's CPZ are close to the shops on Muswell Hill Broadway.

8.3 The consultation feedback showed that residents felt that the main causes of parking congestion were commuters, shoppers and other non-residents taking up spaces that would ordinarily be available to residents.

8.4 Residents of Firs Avenue visited the local Member of Parliament to raise their concerns about parking. They also sent the MP a letter urging her to support the introduction of parking controls. This letter was signed by 28 residents of Firs Avenue.

8.5 Residents of Collingwood Avenue also sent a petition requesting controls be extended to their road. The petition was originally sent in October 2017 and was signed by 92 residents.

8.6 The feedback from statutory consultation confirmed that there is support for the introduction of parking controls in the proposed St Luke's CPZ (see section 4 above)

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 the introduction of St Luke's CPZ to operate from Monday – Friday, 11 am – 1 pm in the following roads – Collingwood Avenue, Leaside Avenue, Fortismere Avenue, Birchwood Avenue, Firs Avenue, Grand Avenue, Church Crescent and Muswell Hill Road (between Fortis Green Road and Woodside Avenue)
- 9.5 Approve that, in addition to the roads listed in paragraph 9.4 above, that eligibility to purchase permits to park in St Luke's CPZ be extended to Firemans Cottages, Woodside, Midhurst Parade and all other properties on the south side of Fortis Green and Fortis Green Road between their junctions with Collingwood Avenue and Muswell Hill Road.
- 9.6 Approve that residents and traders be informed of this decision.

