

Haringey Council  
Written Statement/Record of a decision made by an officer under delegated authority

Decision Maker (Post Title)	Head of Operations (Ann Cunningham)
Subject of the decision	Proposed waiting restrictions in Cline Road and Hillside Gardens
Date of decision	<del>January 2017</del> 16 <sup>th</sup> MARCH 2017
Decision	To approve officers' recommendations as set out in paragraph 9 of the attached report
Reasons for the decision	To prioritise safety for residents who live in the affected roads
Details of any alternative options considered and rejected by the officer when making the decision	
<u>Conflicts of interest – Executive decisions</u>	
Details of any conflict of interest declared by a Cabinet Member who is consulted by the officer which relates to the decision and details of dispensation granted by the Council's Head of Paid Service	
<u>Conflicts of interest – Non executive decisions</u>	
Where the decision is taken under an express delegation e.g. by a Committee, the name of any Member who declared a conflict of interest in relation to this matter at the committee meeting,	
Title of any document(s), including reports, considered by the officer and relevant to the above decision or where only part of the report is relevant to the above decision, that part)	
These documents need to be attached to the copy of this record/statement kept by the Authority but must not be published if they contain exempt information	

<p>Reasons for exemption with reference to categories of exemption specified overleaf or</p> <p>Reason why decision is confidential (see overleaf)</p> <p>Decisions containing exempt or confidential information falling within the categories specified overleaf are not required to be published.</p>	
Signature of Decision Maker	<i>Ann Cunningham</i>
Name of Decision Maker	<i>Ann Cunningham</i>
<p>Does the decision need to be published</p> <p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p>	

### Exempt Information

Local Government Act 1972 Schedule 12A

Part 1: Descriptions of Exempt Information

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any person (including the authority holding that information).
4. Information relating to any consultations or negotiations or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes -
  - (a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) To make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**Note: It is insufficient to simply identify a category of exemption, you must also conduct a public interest test on the basis specified in the Act as follows:**  
Information falling within categories 1-7 is exempt if and so long as in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

#### **Confidential Decisions**

1. The decision contains information provided by a Government department on a non disclosure basis
2. There is a Court order against disclosure

## **1.0 Purpose**

- 1.1 To report the feedback of statutory notification carried out in June 2015 for the proposed introduction of waiting restrictions in Cline Road N11 and Hillside Gardens N11
- 1.2 To set out officers' responses to the representations received.
- 1.3 To seek approval to proceed with the recommendations as set out in section 9.0 of this report.

## **2.0 Background**

- 2.1 To address concerns raised by the public and public services regarding access and obstructive parking issues at isolated locations listed in Appendix I of this report, the Council has proposed the introduction of double yellow line restrictions (No waiting at any time – 24 hours a day) at the locations indicated on the plans contained in Appendix I of this report.
- 2.2 The restrictions are aimed at improving road safety and access for motorists, pedestrians, emergency services and service vehicles, including the Council's refuse collection service, by removing obstructive parking issues, particularly at road junctions.
- 2.3 It has previously been agreed in conjunction with the Council's Scrutiny Panel / board that the Council would facilitate a rolling programme (batch) for the introduction of waiting restrictions.

## **3.0 Statutory Notification**

- 3.1 Statutory notification commenced a single batch of works on the 16 December and provided a closing date for representations of 6 January 2017.

As part of this process a Notice of Intention was published in the London Gazette, local press and erected on site where the restrictions were proposed. The statutory notification consisted of 1 location.

- 3.2 Although not a legal requirement, statutory notification letters, informing of the process and proposals, were also posted to affected frontages located in close proximity of the proposals. See Appendix II for the statutory notification letter.
- 3.3 As part of the statutory process, the views of the following bodies were also sought: AA, London Transport, Police (local), Fire Brigade, London Ambulance Service, Freight Transport Association, Road Haulage Association, RAC, Metropolitan Police (traffic), London Travel Watch, and Haringey Cycling Campaign.

#### **4.0 Statutory Notification Feedback**

- 4.1 A total of 1 individual representation was received during the statutory notification period as outlined below.
- 4.2 A list of all objections received and the Council's responses is contained in Appendix III of this report.

#### **VIEWS FROM STATUTORY BODIES**

- 4.3 No representations were received from the statutory bodies during the statutory notification period.

#### **SUMMARY**

- 4.4 The restrictions are proposed following concerns raised by members of the public and council services regarding access and obstructive parking issues along certain lengths of the locations listed in Appendix I of this report. The council has therefore proposed to introduce restrictions at this location(s).
- 4.5 The council have considered all the objections and comments received during the statutory notification period. Officers recommend that the council introduce all the waiting restrictions as proposed. A summary of representations received is as follows:-

#### **4.6 Cline Road N11 & Hillside Gardens**

One letter was received from a resident asking if they will still be able to park in Hillside Gardens or if the road is to become restricted. A copy of the proposal drawing was sent to the resident and no further correspondence was received.

#### **5.0 Chief Financial Officer Comments**

- 5.1 The capital costs of measures outlined in this report can be met from the Parking Plan funding which forms part of the 2016-17 budget.

#### **6.0 Legal Requirements**

- 6.1 Before reaching a decision to make the necessary Traffic Management Order to implement the waiting restrictions, the council must follow the statutory notification procedures pursuant to the Road Traffic Regulation Act ("RTRA")1984 and the Local Authorities Traffic Orders (Procedure)(England and Wales) Regulations1996. In carrying out the notification the council must comply with the principles ("Sedley Principles") set out also by the courts which are: that notification must be at a time when proposals are still at a formative stage; that the proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response; that adequate time must be given for consideration and response; and that the product of notification must be conscientiously taken into account in finalising any

statutory proposals. All objections received must be properly considered in the light of administrative law principles, Human Rights law and the relevant statutory powers.

6.2 The council's powers to make Traffic Management Orders arise mainly under sections 6, 122 and 124 and schedules 1 and 9 of the RTRA 1984.

6.3 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.

## **7.0 Comment of the Head of Legal Services**

7.1 Other than the requirements set out in section 6 above there are no other legal implications arising out of this report.

## **8.0 Equal Opportunities**

8.1 During the statutory notification period any interested parties are permitted to make representations regardless of where they live or work.

## **9.0 Recommendations**

9.1 It is recommended that the Head of Traffic Management:

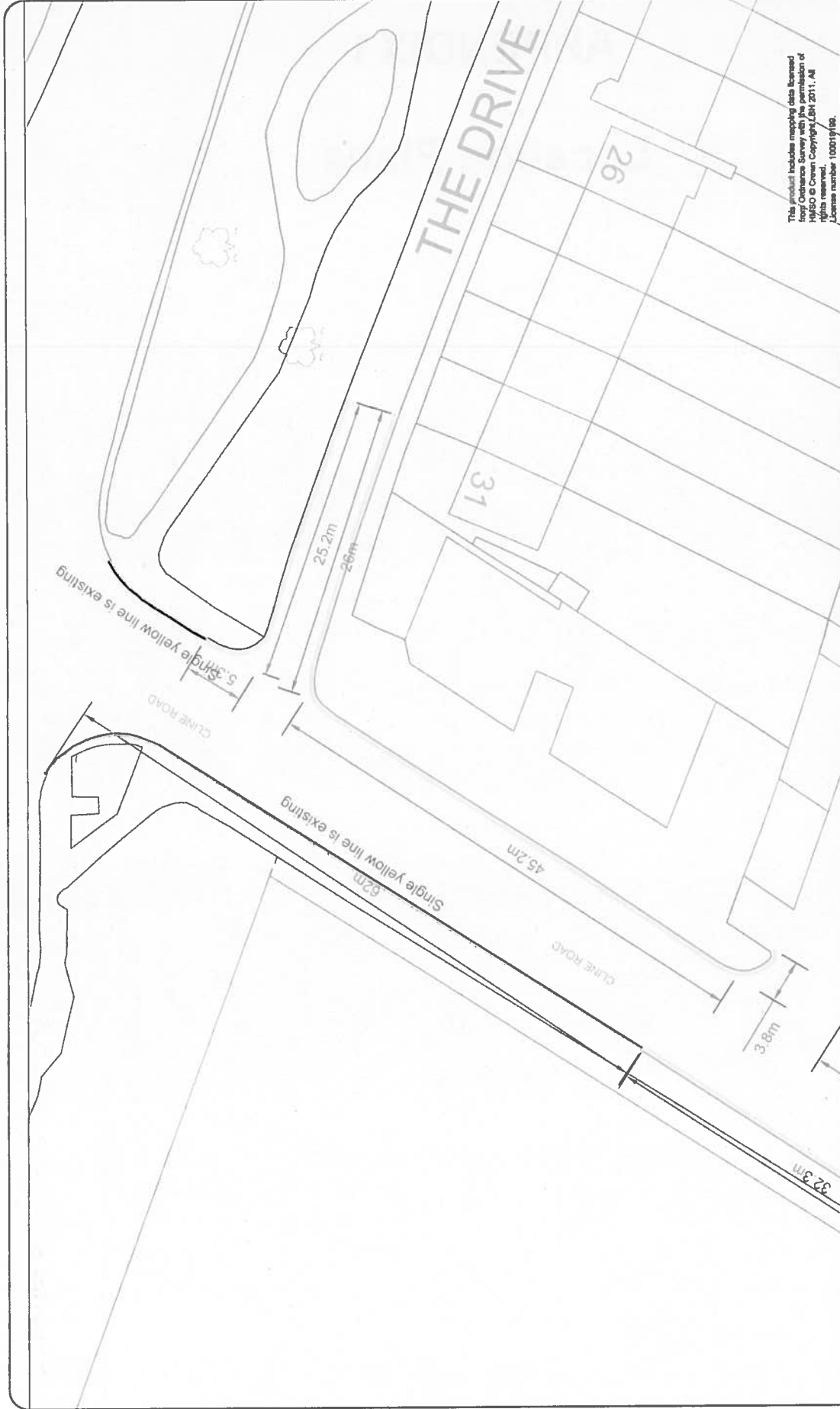
9.2 Note the feedback of the statutory notification process and consider the representations submitted in response.

9.3 Approve implementation of the proposals (location plans in Appendix I).

9.4 Approve that residents and businesses be informed of the council's decision.

# APPENDIX I

## Location Plans



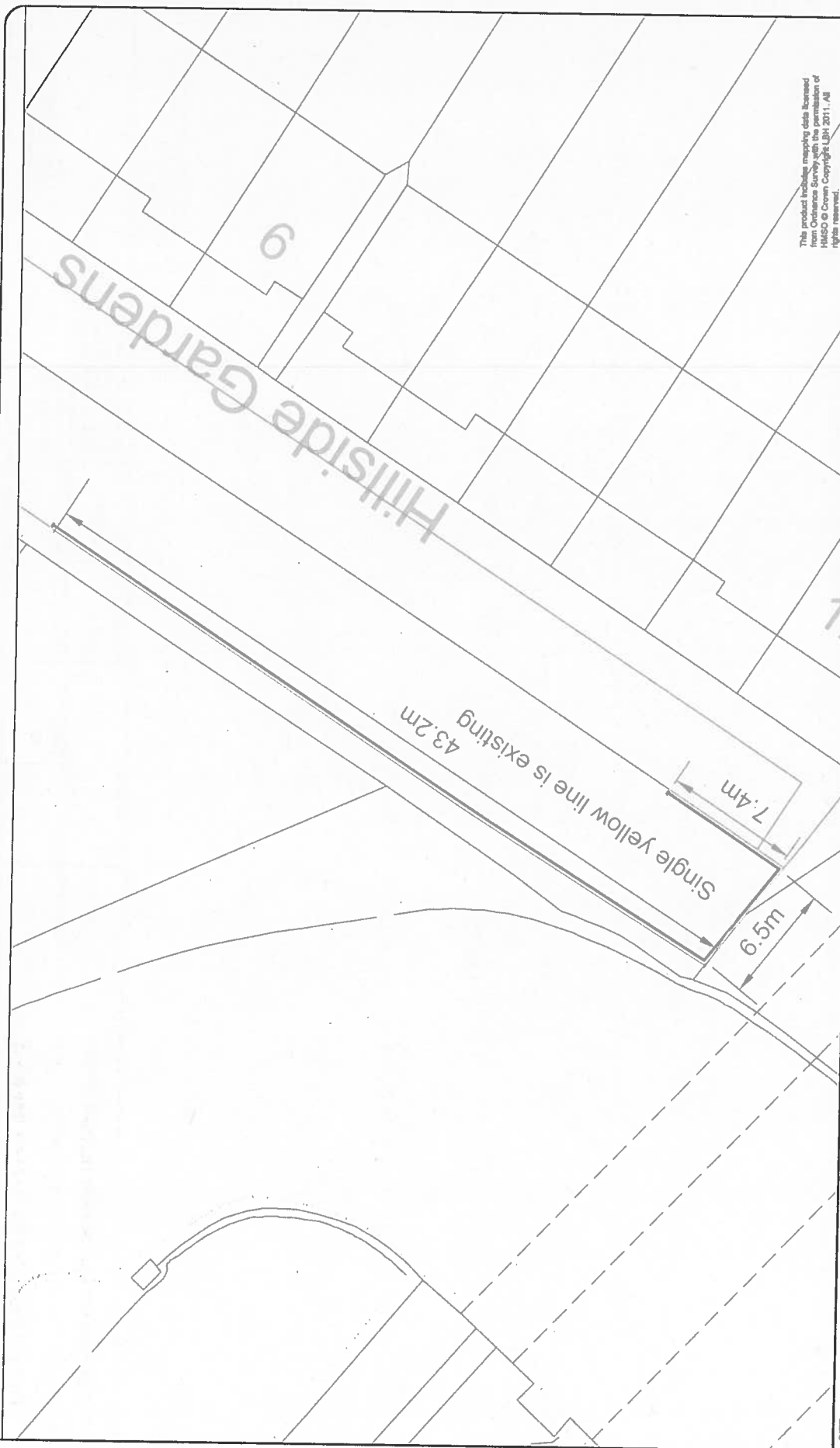
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Directorate - Chief Operating  
Business Unit - Commercial and operations  
Service - Operational Services  
Team - Traffic Management, Parking Infrastructure  
Chief Operating Officer - Trade Events  
Tel: 020 8489 0000  
Fax: 020 8489 1251

SITE: Cline Road N11 - junction with The Drive	DRAWING NO.	PROJECT NO.	DATE.
	NA		8/12/2016
TITLE: Proposed Waiting Restriction - At any time (DYL)	SCALE	CHECKED.	REVISION.
	DN		





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SITE: Cline Road N11 - outside Hillside Gardens  
 TITLE: Proposed Waiting Restriction - At any time (DYL)

DRAWING NO. NA  
 SCALE

PROJECT NO.  
 CHECKED. DN

DATE: 8/12/2016  
 REVISION.

Directorate - Chief Operating  
 Business Unit - Commercial and operators  
 Service - Operational Services  
 Section/Team - Traffic Management, Parking Infrastructure  
 Chief Operating Officer - Trade Events  
 Tel: 020 8489 0000  
 Fax: 020 8489 1251





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SITE: <b>Cline Road N11 - junction with Torrington Gardens</b>		DRAWING NO. NA	PROJECT NO.	DATE. 8/12/2016	Directorate - Chief Operating Business Unit - Commercial and operations Service - Operational Services Section/Team - Traffic Management, Parking Infrastructure Chief Operating Officer - Tracey Evans Tel: 020 8489 0000 Fax: 020 8489 1251	
TITLE: <b>Proposed Waiting Restriction - At any time (DYL)</b>		SCALE	CHECKED. DN	REVISION.		



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SITE: <b>Cline Road N11 - junction with Churston Gardens</b>		DRAWING NO. NA	PROJECT NO.	DATE. 8/12/2016	Directors - Chief Operating Business Unit - Commercial and operations Service - Operational Services Section/Team - Traffic Management, Parking Infrastructure Chief Operating Officer - Trade Events Tel: 020 8489 0000 Fax: 020 8489 1251
TITLE: <b>Proposed Waiting Restriction - At any time (DYL)</b>		SCALE	CHECKED.	REVISION.	



## **APPENDIX II**

# **Statutory Notification Document**

# Public Notice



**CLINE ROAD, HILLSIDE GARDENS AND CHURSTON GARDENS N11 -  
PROPOSED INTRODUCTION OF WAITING RESTRICTIONS  
PARKHURST ROAD N22 – PROPOSED EXTENSION OF DISABLED  
PARKING PLACE**

**The Haringey (Waiting and Loading Restriction) (Amendment No. 48)  
Order 2017**

**The Haringey (Free Parking Places) (Disabled Persons) (Special Parking  
Area) (Amendment No 1) Order 2017**

**T87**

1. NOTICE IS HEREBY GIVEN that the Council of the London Borough of Haringey on 16<sup>th</sup> March 2017 made the above mentioned Orders under sections 6 and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, as amended.
2. The general effect of the Orders will be to:-
  - (a) formalise certain existing waiting restrictions in Cline Road N11;
  - (b) introduce waiting restrictions operating “at any time” into Cline Road and adjoining junctions;
  - (c) introduce waiting restrictions operating between 8 a.m. and 6.30 p.m. on Mondays to Saturdays inclusive into Cline Road alongside Hillside Gardens; and
  - (d) extend the length of an existing disabled parking place outside No. 14 Parkhurst Road N22 to 6.6 metres.
3. Copies of the Orders referred to above, which will come into force on 20<sup>th</sup> March 2017, of plans which indicate the locations and effects of the Orders, and of a Statement of Reasons for making the Orders, may be inspected at the reception desk, Alexandra House, 10 Station Road, Wood Green, N22 7TR or can be viewed online at [www.haringey.gov.uk/traffic\\_orders](http://www.haringey.gov.uk/traffic_orders).
4. Any person desiring to question the validity of the Orders or of any provision contained therein on the grounds that it does not comply with the relevant powers of the Road Traffic Regulation Act 1984, as amended or that any of the relevant requirements thereof or of any relevant regulations made there under have not been complied with in relation to the Orders may, within six weeks of the date on which the Orders were made, make application for the purpose to the High Court.

Dated 17<sup>th</sup> March 2017

Ann Cunningham,  
Traffic Management

## **APPENDIX III**

### **Representations Received with Council's Responses**

## **OBJECTIONS RECEIVED WITH COUNCIL RESPONSES**

**Comment:** I currently park my car Celine Road Hillside Gardens in bounds green north London N11 & I have come across this notice and I was wondering will I still be able to park there or will it become restricted? If so when will be enforced? As I need to try and find a car space to get to work.

**1.**

**Council's response:** Thank you for your email regarding the proposed changes in Cline Road and Hillside gardens.

I have attached the proposed plans for your information.

The yellow lines are the proposed new double yellow lines, the blue lines show the existing restrictions.

Please refer to the notice on how to register your opinion, should you wish to do so.

REPORT OF THE COMMISSIONER OF THE GENERAL LAND OFFICE

IN RESPONSE TO A RESOLUTION OF THE HOUSE OF COMMONS PASSED ON 17<sup>TH</sup> MARCH 1964

AND TO A RESOLUTION OF THE SENATE PASSED ON 17<sup>TH</sup> MARCH 1964

BY THE COMMISSIONER OF THE GENERAL LAND OFFICE