

Report for: Record of Decision Taken Under Delegated Authority

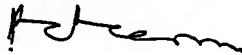
Item number:

Title: To make safer traffic movements through the implementation of waiting and loading restrictions. Batch 13.

Report authorised by: Head of Operations: Ann Cunningham



Cabinet Lead Member for Environment: Councillor Kirsten Hearn



Lead Officer: Daniel Nye, Level 1 (South), River Park House, 225 High Road, Wood Green, N22 8HQ
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Ward(s) affected: Borough wide

Report for Key/
Non Key Decision: Non key decision

Purpose

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- 1.1 To report the feedback of statutory notification carried out in December 2017 and January 2018 for the proposed introduction of waiting restrictions at various locations throughout the borough.
- 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.

1.0 Background

- 1.1 To address concerns raised by the public and public services regarding access, obstructive parking and congestion 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) and single yellow line waiting restrictions, at the locations indicated on the plans contained in Appendix I of this report.
- 1.2 The restrictions are aimed at improving road safety and access for motorists, pedestrians, emergency services and public service vehicles, including the Council's refuse collection service, by removing obstructive/inconsiderate parking, particularly at road junctions.
- 1.3 It has previously been agreed in conjunction with the Council's Scrutiny Panel / board that the Council would facilitate a rolling programme for the introduction of waiting restrictions.

2.0 Statutory Notification

Statutory notification commenced in a single batch. 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 64 locations.

- 2.1 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.
- 2.2 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.

3.0 Statutory Notification Feedback

- 3.1 A total of 0 individual representations were received during the statutory notification period as outlined below.
- 3.2 A list of all objections/representations received and the Council's responses are contained in Appendix III of this report.

VIEWS FROM STATUTORY BODIES

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

SUMMARY

- 3.4 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 waiting restrictions at these locations.
- 3.5 Officers recommend that the council introduce all the waiting restrictions as originally proposed

4.0 Statutory Notification Feedback

- 4.1 The Council received no representations or objections so there are no responses or feedback to note.

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 2017-18 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 Operations:

9.2 Note the feedback of the statutory notification process

9.3 Approve implementation of all the proposals as per plans in Appendix 1

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

APPENDIX I

Location Plans

APPENDIX II

Statutory Notification Document

APPENDIX III

Representations Received with Council's Responses

