

Report for: Record of Decision Taken Under Delegated Authority

Item number:

Title: Report of statutory consultation into extending Bounds Green CPZ

Report authorised by: Head of Operations:



Cabinet Member for Neighbourhoods:



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Ward(s) affected: Bounds Green

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

1.1 Purpose

- 1.2 To report feedback received in response to a statutory consultation carried out in February 2019.
- 1.3 Residents and businesses were invited to comment on a proposal to extend the existing boundary of the Bounds Green Controlled Parking Zone (CPZ), to include uncontrolled roads south west of the zone boundary.
- 1.4 A summary of the representations received during the consultation is contained in this report, along with recommendations as set out in Section 9, for which we seek approval.

2.1 Background

- 2.2 The Bounds Green (BG) CPZ was first introduced in 2008. It was later expanded in 2011. Parking controls within that zone operate during the following periods:
 - Monday to Friday, 10am to Noon.
- 2.3 The BG CPZ is located in the north-west of the borough alongside the Haringey/Enfield borough boundary. It surrounds Bounds Green London Underground (LU) Station, which is part of the Piccadilly Line.
- 2.4 Since extending the BG CPZ, parking problems have transferred to uncontrolled roads surrounding the **zone's** new boundary. In particular, from residents of roads **surrounding the zone's** south-west boundary. This has led to further requests and a petition from Woodfield Way asking for the BG CPZ to be expanded.
- 2.5 As commuter problems persist in the areas surrounding the BG CPZ, we were satisfied that there is sufficient justification in undertaking a review of a further extension of this zone and it was agreed to proceed to consult with local residents.

3.1 Consultation

- 3.2 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.
- 3.3 Parking controls must be supported by a legal document known as a Traffic Management Order (TMO). Before this order can be made, or an existing

order can be amended, we must advertise a notice of our intentions. Notices must be advertised in the London Gazette and local press.

- 3.4 In addition to our legal requirements, notices will be placed along the roads concerned and we may distribute engagement material to residents. Ward Councillors will also be given advanced notification.
- 3.5 We are also required to provide notice to the following; 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.
- 3.6 There will then be a period of 21 days in which any interested party may make representations for or against that proposal. The Council are then required to consider all representations.
- 3.7 If we are satisfied all representations have been addressed, a Notice of Making will be published in the London Gazette and local press. This will confirm marking of the TMO and the date on which it will come into operation. We may also distribute information letters to any properties in the area affected, providing details of the proposed changes, any works due to take place and other information such as how to apply for permits.
- 3.8 For this proposal, the consultation period took place between 27 February and 27 March 2019. Engagement documents were distributed to all properties within the boundaries of an area as detailed in Appendix I. A copy of the engagement documents is contained Appendix II.

4.1 Representations received during Statutory Consultation

- 4.2 We distributed engagement documents to a total of 1100 properties. In response, we received 223 representations. This represents a 20% response rate.
- 4.3 A summary of the response is as follows:
 - 91 (41%) support a proposal to extend the BG CPZ boundary.
 - 127 (57%) opposed. This proposal.
 - 5 (2%) suggested alternative measures.
- 4.4 Details of the representation received are contained in Appendix III. A summary of those representations, together with an officer response is follows:

4.5 Comments in Support of the Proposals

- Residents of Bailey Close asked that the CPZ hours should be extended and not limited to 2 hours. Many commuters and businesses leave their vehicles in Bailey Close and then take the tube / train to central London. This prevents local residents' parking
- Parking on the estate is limited by commuters going to work by train and also because there are some flats that own up to 3 vehicles
- There are old cars that seem unfit for road use being parked in the surrounding area (mainly Cline Road) and in the Blake Road end of Churston Gardens for weeks on end if not months. Old vans and small trucks are also being parked up in the local area for long periods of time **and are being used as dumping stations for builder's waste. These** vehicles and people are also responsible for fly-tipping in the area so if the CPZ is approved I would like to see more investment in trying to stop this crime. Some of the Churston Gardens residents have multiple vehicles and are swapping cars around to protect parking spaces in front of their properties.
- Residents of Palace Road stated that they can now rarely park outside their houses or on the their road on a weekday. The limited parking in the area has pushed number of commuters to leave cars on Palace Road and also some go on holiday using the tube to Heathrow leaving their car for weeks.
- Residents cannot keep hospital or GP appointments, as they are too scared to move the car because it is nearly impossible to find a space never mind outside their door, anywhere on Palace Road.
- Tradesmen are reluctant to work in the area as they can't finding parking space.
- Shopping is a challenge as residents **can't carry the heavy bags knowing there'd be no parking**
- Relatives **won't** visit because of parking issues.
- Residents report that their road is always over congested with commuter parking and sometimes their cars are vandalise.
- Residents of Park Grove request that the double yellow lines be extended outside Park Court. It is alleged that a certain removals lorry parks there for extended periods and creating a hazard for people wanting to exit Park Court. **It's obscuring a blind spot and it's** an accident waiting to happen
- Residents of Park Road believe that their road is advertised on online forums as 'the place to park for free' for commuters. There is a school nearby and by having so many cars constantly passing is also polluting the environment and is going to harm the children's health when they are playing outside.
- Some residents request that the restrictions be extended to 8am to 12noon because Bounds Green school area is bad in the morning and the road is not safe for anyone.
- Residents of The Drive states that it is a narrow road and difficult for

vehicles to pass including refuse lorries and the emergency services and therefore a CPZ would increase road safety.

- Residents of Torrington Gardens reports that there is no parking challenges on their road at present but they would like to be included in the new extension because they recognise the displacement effect of CPZs.
- Residents of Woodfield Way believe that cars are left on their road for extended periods encourages Anti Social Behaviour, including vandalism, cars being broken into owners leaving untaxed cars there.
- Residents of Woodfield Way also advised that there has been an increase in drug dealing from cars, this has been noted on two parts of the road.

4.6 Objections to the Proposals

- Residents responded stating that there are no parking challenges in the area.
- There were some residents who deemed the consultation inadequate as map was not provided with the consultation letter, although full details of the proposals are online and can be viewed at Council offices.
- Residents stated that they don't have any parking problems and do not wish to pay to park outside our homes and hence a CPZ is not required
- A number of residents feels that the introduction of a CPZ is just an income generating exercise
- Residents of Bailey Road highlighted that family members with illness need support and be able to have visitors without restrictions.
- The feedback included comments highlighting that there are many retired people in the area affected who will not be able to afford the parking permits required.
- It is suggested that parking is difficult in the daytime but acceptable in the evening. Commuters park to use the tube and this is not unreasonable as the resident does the same when at work. Making **everywhere permit parking doesn't help as it just moves the problem elsewhere**
- Resident suggest that the CPZ will adversely affect parents collecting their children from nursery at St Martin of Porres Primary School and school staff who park on the street
- A Resident stated that the consultation process is inadequate and **therefore unfair and is in breach of Haringey's 'Statement of Community Involvement'** because it is stated that the statutory consultation notice **has failed to provide Haringey's reasons for proposing an extension of the Bounds Green CPZ to Blake Road.**
- Residents felt that a CPZ would only encourage people to build driveways which are detrimental to the environment.
- There are some residents that require carer assistance and support from family. It would be a great inconvenience for the carer and home help.
- Residents from the Drive believe that it is not near enough to Bounds Green Tube, nor Overground railways to be convenient for commuters nor shoppers and has not been used in this way up to the present time.

- It I believed that roads will be scarred with street clutter and road markings related to the CPZ.

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. Other costs around consultation can be contained within existing budgets.

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 area to the south-west of the existing BG CPZ is currently uncontrolled. Residents have reported parking problems caused by commuters and have asked for parking controls to be extended into their roads.

8.3 A majority of representations received are opposed to parking controls.

8.4 Detailed analysis of the representations indicates that a majority who are in support of controls being extended come from Park Road, Palace Road and Woodfield Way. In summary:

- Park Road - 83% in favour, 17% opposed.
- Palace Road - 69% in favour, 28% opposed.
- Woodfield Way - 63% in favour, 37% opposed.

8.5 Parking controls could be extended into these roads only. However, experience from a previous extension of this zone and other zones suggests that parking challenges would likely be transferred to other nearby roads.

8.6 This includes Park Grove and Bailey Close and Edith Road. A majority of residents of those roads current opposes the proposal, however there were no responses from Edith Road.

- Park Grove - 25% in favour, 75% opposed.
- Bailey Close - 15% in favour, 77% opposed and 8% other
- Edith Road – 0 responses

8.7 Each of the above-mentioned roads are located a short walking distance from Bounds Green station. Experience of other similar CPZs in the borough, suggest that commuters would be willing to walk this distance. There is a strong possibility that parking concerns would be transferred to these roads.

8.8 In addition to parking controls that improve access to on-street parking for

residents, we also intend to introduce parking bays that provide benefits to local businesses and facilitate visitors.

8.9 CPZ parking controls can sometimes be restrictive. In roads with a high number of footway crossovers and dropped kerbs, there will be a limit on the number of on-street parking spaces that can be provided. To overcome that, consideration can be given to introducing an alternative type of zone, known as a Permit Parkin Area (PPA).

8.10 PPA's can be used on short lengths of road and require only a sign to be provided at the entry. As with a CPZ, permits will be required to park during operation hours, but within the PPA area, parking bays do not have to be formally marked out. Permit holders can continue to park their vehicles, so long as they do so in a legal manner and without causing obstruction, in any part of that area.

8.11 Section 3.3.3 of Haringey's Local Implementation Plan states:

- 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.

8.12 Additional parking controls are also in line with the Council's recently agreed Transport Strategy and supports its 'aims' which include:

- An improved air quality and a reduction in carbon emissions from transport and:
- A well-maintained road network that is less congested and safer.

9.1 Recommendations

9.2 It is recommended that the Cabinet Member for Neighbourhoods and Head of Operations approve the following:

- (a) Note the feedback from the consultation as set out in this report.
- (b) Approve that the BG CPZ be extended to include Woodfield Way, Park Road and Palace Road.
- (c) Approve that residents in Bailey Close, Edith Road and Park Grove be informed of the decision to extend the CPZ to the roads in highlighted paragraph 8.4 above and that they be given the opportunity to inform the Council if they would like to be included in the CPZ.

- (d) Approve that residents and traders in the consultation area be informed of this decision.

APPENDIX I

Distribution Map

APPENDIX II

Consultation Document

APPENDIX III

Statutory Consultation Response Report