

Report for: Record of Decision Taken Under Delegated Authority

Item number:

Title: Report of statutory consultation into extending Woodside CPZ

Report authorised by: Head of Operations:



Cabinet Member for Neighbourhoods:



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Ward(s) affected: Woodside

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 March 2019, regarding a proposal to extend the Woodside Controlled Parking Zone (CPZ).
- 1.3 This report contains details of representations made in relation to this proposal and includes a **officers'** response to those representations.
- 1.4 To seek approval to proceed with the recommendations as set out in Section 9 of this report.

2.1 Background

- 2.2 Residents of a short length of The Roundway, between its junctions with Lordship Lane and Gospatrick Road, have complained there is often little or no space for them to park their vehicles. These concerns are shared by Councillors.
- 2.3 On-street parking is currently uncontrolled along this length of road. However, it is surrounded by other roads on which parking controls are in place. It is located adjacent to the boundary of the Woodside CPZ and is also close to the boundaries of the White Hart Lane CPZ, the Tower Gardens CPZ and Tower Gardens Event Day (TGED) zone.
- 2.4 With no parking controls in place, the availability of on-street parking on the road is limited, with road space often occupied by non-residents parking here to avoid parking controls and charges on the nearby roads.
- 2.5 For residents of this road, finding alternative places to park can be difficult as they are not eligible to apply for permits to parking in the neighbouring streets.
- 2.6 Difficulties in parking also arise as parking controls in the nearby TGED zone operate when events are being held at the Tottenham Hotspur Stadium and vehicles are displaced into this road.
- 2.7 Furthermore, a recent consultation found that resident and businesses within the TGED zone are in support of the introduction of daytime parking controls, which would operate in addition to the existing event day controls. If the controls are implemented then it is highly likely that this section of The Roundway will experience parking pressure.
- 2.8 To address their concerns, residents have asked that the currently uncontrolled length of The Roundway, be included within the adjacent Woodside CPZ. In response, we agreed to undertake a review.

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 a period of

consultation known as statutory consultation.

- 3.3 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 Enfield Independent, 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.
- 3.4 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.
- 3.5 Before making the relevant Traffic Management Orders the council will consider all representations submitted in response to the statutory consultation.
- 3.6 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 Enfield Independent notifying the date when the Traffic Management Order will come into operation.
- 3.7 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. A copy of the notification document can be found in Appendix I.
- 3.8 The Council conducted a statutory consultation from 7 March to 28 March 2019. The Notification documents were circulated to ward councillors in advance of statutory consultation and were delivered to all properties within the boundaries shown in Appendix II.

4.1 Representations received during Statutory Consultation

- 4.2 A total of 27 documents were distributed and the Council received 3 representations which represents a response rate of 11%.
- 4.3 Of the three responses we received;
 - one was in support of the proposed parking controls.
 - two were opposed.
- 4.4 A summary of those objections, and an officer response to those objections is as follows:

4.5 Objection: There is so little uncontrolled parking in the area a small [uncontrolled] section seems reasonable. In my experience parking is rarely a problem.

Council response: A lack of parking controls has been a cause of concern for residents and Councillors in recent years. We have received complaints about the area being used by non-residents and residents of nearby streets to avoid parking charges in their roads. In doing so, this leaves little or no parking for residents of The Roundway.

The introduction of parking controls will help to reduce parking congestion and in doing so, increase the availability of on-street parking for residents.

Parking controls would also offset any risk of displacement which may occur if additional parking controls are introduced in the nearby Tower Gardens Event Day Zone.

Residents on the affected section of The Roundway would also benefit from being eligible to purchase permits for the Woodside CPZ. Should parking in front of their properties not be available, the permits would enable them to be able to park in other nearby roads within the zone.

4.6 Objection: I am an optometrist [on Lordship Lane] and I am unable to park anywhere near my practice.

Patients/customers who have moved out of Haringey and wish to continue supporting the practice have been unable to find free parking and had to pay extortionate amounts for paid parking in a **tertiary** shopping area. Following this the meters were removed only to be replaced with pay on phone options with an app, which many of the over 60 age group cannot use as they do not have wi-fi on their mobile phones. These meters have now been replaced with electric charge points- a waste of space as very few of the public have electric cars. I have photos of unused Residents Bays and the Electric Charge points should they be required.

The surrounding streets are more than half empty as most of the residents do not have their own car or use their car to go to work during the day throughout the week. (can supply photos of this also if needed).

I am unable to park anywhere near the practice and so now find that when I need to visit patients at home cannot take all the necessary equipment to my car and am considering giving up my contract with the NHS for this service.

Council response: Pay by Phone can be used in several ways and is not limited to users of smartphones with Wi-Fi connections only. Payment can be made by telephone, using a number provided on a sign located adjacent to each bay. Those signs also contain an alternative number that allows

payment to be made by a text messaging service. Each of these options is available to users of any mobile phone.

For smartphone users, payment can be made using an app. Connection is not limited to Wi-Fi signals only, with connection also being available using a **network operator's** own data signal.

Regarding the availability of short-term parking for customers and access to parking for business permit holders, the Council is currently undertaking a boroughwide review of all such facilities with an aim to improve that provision to better support local businesses. **The objector's comments will be considered as part of that review.**

Where it is possible, we will be seeking to improve that provision in areas **close to a users' premises, or place they are visiting.** In this instance, a residential road is being used which is located away from those premises. This is having a negative impact on residents of that road and has been a cause of complaints and request to introduce parking controls.

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 2019/20. 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 A lack of parking controls on a section of The Roundway, adjacent to the Woodside CPZ has seen the road being used by non-residents to park their vehicles for free. This is causing difficulties for residents within that zone, who have complained they are unable to find space to parking in front or near to their own properties. Those complaints are supported by Councillors.

8.3 In response, the Council has undertaken a consultation in which we have asked residents views on a proposal to introduce parking controls on that section of road. This will see this section of The Roundway become part of an extension to the adjacent Woodside CPZ. Parking controls will match those in that CPZ.

8.4 We received just two objections to the proposal, one of which from a non-resident. Details of which are contained in Section 6.

8.5 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.

8.6 **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 and Head of Operations approve the following:

- Note the feedback from the consultation as set out in this report.
- Approve the Woodside CPZ be extended to include a section of The Roundway, between its junctions with Lordship Lane and Gospatrick Road.
- Approve that residents and traders be informed of this decision.

APPENDIX I

Consultation document

APPENDIX II

Distribution Area