

Report for: Cabinet Member Signing

Title: Fortis Green Extension - Statutory Consultation, N10

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Ward(s) affected: Fortis Green

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

1 Describe the issue under consideration

- 1.1 To report on the feedback of statutory consultation carried out from 4 November to 24 November 2020, on the proposal to extend the current Fortis Green CPZ to include the following roads: Ringwood Avenue, Beech Drive and Twyford Avenue.
- 1.2 To request approval to proceed to implementation, having taken objections into consideration.

2 Cabinet Member Introduction

- 2.1 N/A

3 Recommendations

- 3.1 It is recommended that the Cabinet Member for Customer Service, Welfare and the Public Realm: -
- 3.2 Notes the delegated decision report following the public consultation and considers the objections raised during the statutory consultation on the proposals, as well as officer responses to the objections.
- 3.3 Approves the extension of Fortis Green (FG) CPZ into the following roads: Ringwood Avenue, Beech Drive and Twyford Avenue, as detailed in Appendix (I).
- 3.4 Approves the operational times for the above listed roads to match those of the existing Fortis Green CPZ i.e. Monday to Friday 11am to 1pm.

4 Reasons for decisions

- 4.1 Following public consultation on the proposals, approval was granted by officers under Delegated Authority in October 2020 to proceed to delivery of parking controls on the following roads: Ringwood Avenue, Beech Drive and Twyford Avenue as part of the existing Fortis Green (FG) CPZ, subject to the outcome of a statutory consultation.
- 4.2 For Ringwood Avenue, Beech Drive and Twyford Avenue, the public consultation received a total of 86 responses: 45 (52%) in favour and 41 (48%) in opposition.

- 4.3 The outcome of the public consultation was endorsed by local Ward Councillors and is supported by Haringey's CPZ Parking Policy.
- 4.4 A total of 51 submissions were received to the statutory consultation: 32 objections and 19 in favour. Of the objections received, none could be considered as a 'substantial objection' i.e. relating to the consultation process not following required legal process, or statutory documents containing fundamental errors. A summary of objections received are detailed in Table 2, section 6 of this report.

5 **Alternative options considered**

- 5.1 An alternative is to not introduce parking controls in roads listed in section 4.1. This is not recommended as the public consultation demonstrated the introduction of parking measures were supported by the majority of residents responding in the roads listed in section 4.1 and endorsed by local Ward Councillors. In addition, no substantial objections were received during the statutory consultation.

6 **Background Information**

- 6.1 In May 2019, a petition was submitted to the Council requesting roads surrounding the existing Fortis Green CPZ - Creighton Avenue, Beech Drive, Ringwood Avenue and Twyford Avenue - be considered for a future CPZ. It was also reported that surrounding CPZs were displacing parking into nearby uncontrolled roads.
- 6.2 A public consultation was carried out over a three-week period from 8 February to 2 March 2020. This included delivery of consultation packs to all properties along a number of roads surrounding the Fortis Green CPZ. The consultation information was also made available online allowing responses to be made online as well as by email and post.
- 6.3 Of the 1600 properties that were consulted, the Council received 437 responses, a response rate of 27%. This response rate exceeds the Council's Parking Policy minimum response rate of 10%.
- 6.4 Overall, the majority of those responding did not support the introduction of parking controls, except for a small number of roads adjacent to the existing Fortis Green CPZ area. Following discussions with Ward Councillors, Ringwood Avenue, Beech Drive and Twyford Avenue were endorsed for inclusion within the existing Fortis Green CPZ. Approval was sought through Delegated Authority to proceed to statutory consultation and this was granted in October 2020.
- 6.5 The approved Delegated Authority report for the public consultation is attached in **Appendix (II)**.

Statutory Consultation

- 6.6 Statutory notification commenced on 4th November 2020 for a period of 21 days. The process consisted of a Notice of Proposal published in the London Gazette, Enfield, and Haringey Independent and the notice was erected on site in the affected streets. The closing date for representations and comments was 25 November 2020.
- 6.7 Although not a legal requirement, statutory notification letters, informing of the proposals and process, were also posted to affected frontages located within the proposed Fortis Green CPZ extension area. **Appendix (III)** contains copies of the statutory notification letter delivered to affected frontages.
- 6.8 As part of the statutory process, the following statutory bodies were also notified:

- AA
- London Transport
- Police (local)
- Fire Brigade
- London Ambulance Service
- Freight Transport Association
- Road Haulage Association
- RAC
- Metropolitan Police (traffic)
- London Travel Watch
- Haringey Cycling Campaign

Responses to Consultation

6.9 A total of 350 properties were written to notifying their occupants of the statutory consultation and how they could object should they wish to. A total of 51 representations from residents and businesses were received, comprising 32 objections and 19 submissions in favour.

6.10 Table 1 below summarises representations received to the statutory consultation.

Table 1

Road Name	Oppose Proposal	Support Proposal
Beech Drive	4	3
Ringwood Avenue	12	12
Twyford Avenue	13	4
No address given	3	0
Total	32	19

6.11 Table 2 summarises the objections received; these have been grouped by the reasons provided for the objections. The number of objections raised for each reason has been noted. This exceeds the total number of objections received which is 32 as some objections cited more than one reason for their objection. Finally, an officer response to each reason for the objection is provided.

Table 2

Reason for objection.	No. of objectors cited this reason	Officer response
Parking is OK and CPZ controls are a 'money-making exercise'	2	52% of those who responded to the public consultation undertaken in March 2020, identified that the area was experiencing parking problems and were in favour of parking controls being introduced.
All properties should receive a letter notifying them of the statutory consultation and not just have street posters installed on affected streets.	1	The Council wrote to all affected properties within the proposed area with letters being delivered by a specialist delivery company. This was in addition to the installation of street notices as required by legislation.

Reason for objection.	No. of objectors cited this reason	Officer response
Operational times of the proposed extension will not address traffic congestion and obstruction of driveways	2	The results of the public consultation showed those who responded were in favour of the introduction of parking controls Monday to Friday 11am to 1pm. Haringey's CPZ Parking Policy states that the operational hours of controlled parking zones will be determined by the outcome of consultation.
I am an elderly resident who relies on carers for support; now they will not be able to come in the mornings which will make life difficult for them as well as for me.	1	<p>The introduction of a CPZ will help prevent people from outside of the area from parking easing pressure for residents and visitors.</p> <p>Concessionary rates for visitor's permit are available for residents 65 years old or over, or registered disabled.</p>
Taking a sub-set of answers as the basis of a decision is incorrect as the original answers were in the context of a different question. Your continuation with this process is flawed; your process is erroneous. The only numbers that matter from the consultation is that 78% were against.	2	<p>Haringey's Cabinet approved Parking Policy that was introduced in March 2020 states "While an area may share the same parking problems, its residents may not share the same opinion of controlled parking.</p> <p>A CPZ will therefore be introduced based on the overall response from the area consulted or sub-areas of the consulted area, achieving at least 51% vote in favour of controls unless there are exceptional circumstances, such as a major development planned for the area."</p>

Reason for objection.	No. of objectors cited this reason	Officer response
<p>You held a consultation and an absolutely whopping 78% of residents said we don't want this imposed on us. You have artificially tried to find a way of introducing a cpz by lumping three roads together where the vote was narrowly in favour of a CPZ.</p>	8	<p>Haringey's Cabinet approved Parking Policy that was introduced in March 2020 is described above and provided in Appendix IV.</p> <p>Officers have considered responses from individual roads as well as the overall response, the latter informing the Council of the collective views from the area but the responses for individual roads are equally important for understanding the views from those in roads closest to the current CPZ as they may be more directly impacted by the current restrictions.</p>
<p>The main reason for my objection is the cost of implementation. It will come at an additional unnecessary cost to residents if implemented.</p>	1	<p>Funding for the introduction of CPZs has been approved by Cabinet to be sourced through the Parking Transformation Budget.</p>
<p>I object to the proposals. I live on Twyford Avenue. There is never a problem with parking. Quite often the roads are pretty empty. This is purely an anti democratic fund raising exercise.</p>	1	<p>86 responses were received in total from Ringwood Avenue, Beech Drive and Twyford Avenue, 45 (52%) in favour and 41 (48%) in opposition.</p> <p>The responses from this group of roads were considered together as a sub-area of the total area consulted in accordance with the Parking Policy. The results from the consultation were discussed with local Ward Councillors and agreement reached with them on the recommendation to extend Fortis Green CPZ controls.</p>
<p>I object to this extension. There is absolutely no problem with parking on my road, in most cases all residents have generous driveways.</p>	10	<p>While an area may share the same parking problems, its residents may not share the same opinion of controlled parking.</p> <p>From the public consultation undertaken in March 2020, 21 of the 36 residents responding from Ringwood Avenue supported the proposals expressing the need for parking controls to be introduced due to parking pressures.</p>

Reason for objection.	No. of objectors cited this reason	Officer response
<p>I strongly oppose the proposed extension of the Fortis Green CPZ We cannot just go on adding to people's living expenses with unnecessary costs and this is certainly an unnecessary cost. There are no major parking issues on any of these roads, especially not Ringwood Avenue,</p>	3	<p>86 responses were received in total from Ringwood Avenue, Beech Drive and Twyford Avenue, 45 (52%) in favour and 41 (48%) in opposition.</p> <p>The responses from these group of roads were considered together as a sub area of the total area consulted in accordance with the Parking Policy. The results from the consultation were discussed with local Ward Councillors and agreement reached with them on the recommendation to extend Fortis Green CPZ controls.</p>
<p>I do not want to have to pay to let my friends and family come to visit me.</p>	1	<p>It is recognised that that lower income groups will be more adversely affected by charges associated with CPZs, but this is seen as being outweighed by health benefits such as lower pollution and making it easier for people to park close to their homes. These proposals will help protect against parking by commuters and other nuisance parking.</p> <p>A concessionary rate discount of 50% is applied to all visitor permits for those aged 65 or over, or if registered disabled.</p>
<p>I believe nearly every resident on these streets has access to off street parking, therefore the new measures are just punishing those who are less able to afford a property with off street parking.</p>	1	<p>86 responses were received in total from Ringwood Avenue, Beech Drive and Twyford Avenue, 45 (52%) in favour and 41 (48%) in opposition.</p> <p>The responses from this group of roads were considered together as a sub-area of the total area consulted in accordance with the Parking Policy. The results from the consultation were discussed with local Ward Councillors and agreement reached with them on the recommendation to extend Fortis Green CPZ controls.</p>

Reason for objection.	No. of objectors cited this reason	Officer response
I am very concerned that the proposed CPZ will also encourage people to extend their off street parking in their large front gardens and have an environmental impact in terms of lost wildlife habitats, visual amenity of the street environment being degraded and contributing to flooding if gardens are effectively turned into car parks.	1	All off-street parking applications must be approved by Haringey Council for a legal off-street access across public highway. This process involves meeting the Council's approved criteria before it can be approved.
I object to this proposal as most of the residents are against it. The results of consultation are non-conclusive, especially as only 27% residents took part. The council is cherry picking our area.	1	<p>Haringey's Cabinet approved Parking Policy that was introduced in March 2020 states: "The Council should receive a response rate of between 10% and 20% to consultations. A response rate below 10% is deemed inconclusive and a scheme will not be progressed without further engagement with the community and achieving a response rate no less than 10%."</p> <p>A CPZ will therefore be introduced based on the overall response from the area consulted or sub-areas of the consulted area, achieving at least 51% vote in favour of controls unless there are exceptional circumstances, such as a major development planned for the area. 86 responses were received in total from Ringwood Avenue, Beech Drive and Twyford Avenue, 45 (52%) in favour and 41 (48%) in opposition.</p>

6.12 In review of the 32 objections received to the statutory consultation, 16 of those who responded to the statutory consultation also responded to the public consultation in opposition to the introduction of the controlled parking measures. However, 12 of those responding to the statutory consultation did not give a full address, providing only a road name.

6.13 After considering the statutory consultation results and noting that there were no substantial objections to the consultation as detailed within Table 2 above, it is concluded that no alterations should be made to the proposed extent of the parking scheme. The extension of the Fortis Green Controlled Parking Zone with the operational times of Monday to Friday 11am to 1pm should therefore be introduced to help improve air quality, reduce parking pressures, whilst promoting the use of sustainable forms of transport.

7 Contribution to strategic outcomes

7.1 It is important that we have safe, green travel to prevent our roads from being overrun by cars and to support active travel, which is the ambition of the Council as laid out in its [Borough Plan](#) and [Transport Strategy](#). Controlled parking zone installation will support the objectives set out in these documents as well as the wider initiatives to improve air quality and support the health of residents as per the Council's [Climate Change Action Plan](#).

7.2 The Introduction of controlled parking is in accordance with Section 3.3.3 of Haringey's Local Implementation Plan part which 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."

7.3 The introduction of CPZs also aligns with the Council's 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

7.4 Delivery of the proposed extension to the Fortis Green CPZ will help the Council to more effectively manage valuable kerb-side space and reduce the amount of commuter and 'short trip' car journeys. This will help enable the Council to more easily prioritise kerb-space for electric vehicle charging points, cycle hangar storage and reduce parking where there is need for improvements to walking, cycling and other sustainable means of travel.

8 Comments of the Chief Financial Officer

8.1 This report seeks Cabinet approval for the implementation of the Fortis Green CPZ.

8.2 The full cost of this scheme is estimated to be £19.6k, including community engagement; inventory of existing site conditions; design and implementation. This will be funded from the Council's approved Capital Programme as it was included within the Parking Implementation Plan.

8.3 Once implemented the future operation cost will be funded from the existing service revenue budgets.

9 Comments of the Head of Legal Services and Governance

9.1 Before reaching a decision to make the necessary traffic management order to implement 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.

9.2 The Council's powers in relation to the making of traffic management orders arise mainly under sections 6, 9, 45, 46, 122 and 124 and schedules 1 paragraphs 1-22 the RTRA

9.3 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 of the RTRA.

- 9.4 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.
- 9.5 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: -
- the desirability of securing and maintaining reasonable access to premises.
 - 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.
 - the national air quality strategy.
 - facilitating the passage of public service vehicles and securing the safety and convenience of their passengers.
 - any other matters appearing to the Council to be relevant.
- 9.6 The legal position in relation to traffic management orders and the statutory requirements in respect of consultation are set out in section 9.1 through 9.5 of this 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, the Council would be acting in accordance with the law were it to proceed with the proposals set out in this report.

10 Equalities Comments

- 10.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
 - Advance equality of opportunity between people who share those protected characteristics and people who do not
 - Foster good relations between people who share those characteristics and people who do not.
- 10.2 The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status apply to the first part of the duty.
- 10.3** Two objections to the proposals have been raised by elderly residents. The proposal will have an impact on those who are reliant on carers as they will need to purchase visitors permit for the carer if they are arriving by motor vehicle, however as the proposal is to bring in parking controls for two hours a day from Monday to Friday 11am -1pm, the expected impact on these groups should be minimal. Currently, visitor permits for the over 65s are offered at a subsidised value at 41pence per hour, whilst the normal pricing is 83 pence per hour; this should help for those carers who require to visit the residents during the proposed

controlled parking operation hours. The benefit of parking controls on the same group is that this may ease parking pressures allowing carers to find parking spaces more easily close to their clients homes.

- 10.4 Although there is a small impact on elderly residents as a result of the introduction of 2 hours managed parking 11am to 1pm, the benefits of being able to buy visitors permit at concessionary prices and utilising the permits on offer as well as expected easing in parking pressure will go a long way to address any negative impacts.
- 10.5 Carers in the community have access to two permit types that enable them to undertake visits to fulfil their required service. The first one is an essential service permit (ESP) which allows those people providing public personal services to residents to park in a residential or shared use bay within a controlled parking zone. The ESP scheme supports local authority services, NHS health professionals, charities and not-for-profit organisations who provide healthcare, counselling or social care to Haringey residents. The second permit type is a carer's permit which is provided to cater for the needs of those caring for residents in their own home. Residents who live in a controlled parking zone can apply for a carer's permit if their medical practitioner, nurse or social worker has completed and signed the declaration in the application form. Nannies and care providers for young children are also eligible for carers permits; the cost of this permit is dependent on the emission level of the vehicle being used in the application.

11 Use of Appendices

- 11.1 Appendix I – Plan showing proposed extension of the Fortis Green CPZ.
- 11.2 Appendix II – Approved Delegated Authority report following public consultation.
- 11.3 Appendix III - Statutory notification letters delivered to affected frontages.
- 11.4 Appendix IV – Haringey Parking Policy – Approved March 2020.