

Report for: Head of Service for Highways and Parking

Title: Proposed Parking Arrangement on Colina Mews, N15

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Ward(s) affected: Harringay and St Ann's Ward

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

1 Describe the issue under consideration

- 1.1 To determine if the temporary parking arrangements (TTMO107 14 (1) made on 10 August 2022) on Colina Mews should be made permanent.
- 1.2 To request approval to proceed to make the necessary traffic management orders, after considering objections and officer response to those objections and to proceed with implementation.

2 Cabinet Member Introduction

- 2.1 N/A

3 Recommendations

The Head of Highways and Parking is asked to:

- 3.1 Consider all feedback to the public and statutory consultation carried out from 19 July to 9 August 2023 set out in paragraph 8.0 of this report, on the proposals outlined in Appendix A.
- 3.2 Agree that the Council shall not cause a public inquiry to be held for the reasons set out in paragraph 8.2.
- 3.3 Approves the temporary parking arrangements on Colina Mews to be made permanent, as set out in paragraph 6.3 and on the plan in Appendix A and for all necessary traffic management orders to be made to give effect to the measures approved in this recommendation.

4 Reasons for decision

- 4.1 The Council is required to consider the feedback received during the statutory notification period, in particular any objections to the proposals, prior to formalising the parking arrangements on Colina Mews.
- 4.2 The reason that this is a non-key decision is because, although it discusses the implementation of proposals which cover more than two wards, it will not result in expenditure of £500,000 or more. It also will not be significant in terms of its effects on communities living or working in an area covering two or more wards or electoral

divisions in the area of the local authority, hence is unlikely to result in substantial public interest or social, economic or environmental risk.

5 Alternative options considered

- 5.1 Do nothing: This option was rejected as it would not deliver an improvement to road safety and does not allow the Council to meet its legal duty of a statutory duty under section 39 of the 1988 Road Traffic Act to “take steps both to reduce and prevent accidents”.

6 Background Information

- 6.1 Colina Mews is a minor road at the rear of a recently constructed housing development, along 590-598 Green Lanes and is located between Park Road and Colina Road, N15.

- 6.2 As part of the S278 development of 590-598 Green Lanes, the Council carried out highway improvement works in the vicinity of the development, including carriageway/footway resurfacing and introduced temporary parking arrangements in Colina Mews.

- 6.3 Funding has now been secured to make the temporary parking arrangement permanent in Colina Mews, as detailed on the plan in Appendix A. The proposals include the following:

- To formalise the double yellow lines & double kerb blips on east side of Colina Mews N15 from its junction with Park Road to outside the shared property boundary of No.73/75.
- To formalise the Permit Parking bays on east side of Colina Mews N15 from outside the shared property boundary of No.73/75 for 51.9 metres to outside No.55 (3.15 metres north of the shared boundary of No.53/55).
- To formalise the double yellow lines & double kerb blips on east side of Colina Mews N15 outside No.55 (3.15 metres north of the shared boundary of No.53/55) to its junction with Colina Road N15.
- To formalise the conversion of single yellow line & Business Permit bays to double yellow line & double kerb blips on west side of Colina Mews N15 from its junction with Colina Road to outside flats 1-9 at No.1 Colina Mews, a total length of 92.6 metres.
- To formalise the reduction of existing resident permit parking bays on west side of Colina Mews N15 outside flats 1-9 at No.1 Colina Mews by 8.6 metres and replace with double yellow lines & double kerb blips.
- To formalise the double yellow lines on west side of Colina Mews N15 from its junction with Park Road to the resident permit parking bays adjacent to No.37, a length of 11.8 metres.

The above parking places and waiting and loading changes are required to improve road safety and facilitate free movement of traffic along Colina Mews following a number of housing development schemes completed in the vicinity.

- 6.4 The total cost of the scheme is £10k and will be funded by the developers, through the S278 agreement.

7 Consultation

- 7.1 Ward Councillors were informed about the proposals on 10 July 2023 and no comments were received.
- 7.2 Notification documents were distributed to properties in the vicinity of the proposals on 19 July 2023. The consultation took place between 19 July and 9 August 2023. A copy of the public and statutory consultation document is shown in Appendix A and a copy of the consultation boundary can be found in Appendix B
- 7.3 The notification letter was uploaded on the Council's website. Legal notices were placed on-street and in the local newspaper. A copy of the legal notice is shown in Appendix C.
- 7.4 As part of the statutory process, the following statutory bodies were also consulted:
- 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
 - AA

8 Responses to Consultation

- 8.1 The Council received one response, objecting to the proposals to formalise the parking arrangements on Colina Mews.

8.1.1 Objection – Resident has objected to the removal of parking

'I live in one of the flats in Colina House, Colina Mews and object to your proposal to remove the resident parking bays near the Park Road end of Colina Mews. Could you please retain these parking bays'.

Officer response

Parking will not be reduced on Colina Mews. This proposal consists of formalising the current parking arrangements on Colina Mews by making the temporary parking arrangements permanent.

An officer wrote to the resident to clarify the above and received the following response: - 'I am pleased to hear that there will be no change to the current parking bays opposite Colina House. Thank you for confirming this and for responding to our objections'.

This objection is not relevant and deemed that the objection has been removed. Therefore, there is no need for a public enquiry to be held, as per the above reason.

- 8.2 The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended) ("LATOR") provides that the traffic order making authority shall hold a public inquiry prior to the making of a TMO if the conditions in Regulations 9(3) applies. However, the authority do not have to hold a public inquiry if the objection has been

withdrawn or is irrelevant or frivolous This report does not include the recommendation to hold a public inquiry as the objection was in respect of a misunderstanding on the part of the objector regarding the removal of parking bays. The Council has provided clarification and the objector is deemed satisfied and therefore the objection no longer relevant. There is therefore no requirement for a public inquiry to be held.

9 Contribution to the Corporate Delivery Plan 2022-2024 high-level strategic outcomes

9.1 This report supports Theme 2: Responding to the climate emergency in the Corporate Delivery Plan. The changes introduced under a temporary arrangement have resulted in improved road safety, whilst allowing free movement of traffic along Colina Mews, which is part of a housing development delivered alongside others in the vicinity. The existing parking arrangement is also helping manage traffic congestion and therefore influencing choice of transport. Waiting and Loading restrictions on this road are contributing towards improved road safety and may help encourage the use of more sustainable forms of transport.

9.2 The changes proposed align with the Council's Transport Strategy 'aims' of:

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

Statutory Officers' comments

10 Comments of the Chief Financial Officer

10.1 This report seeks the approval for the implementation of the proposed amendment to parking places for a total cost of circa £10k. The cost of this proposal will be fully met from the council's S278 funding allocated for the Colina Mews.

11 Comments of the Head of Legal Services and Governance

11.1 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.

11.2 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

11.3 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.

11.4 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.

- 11.5 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.
- 11.6 Regulation 9(1) of LATOR sets out when an authority must hold a public inquiry before making an order and when it has a discretion to hold one. Where Regulation 9(3) applies and the objection has not been withdrawn then the public inquiry must be held unless the exceptions apply. These exceptions are where the objector has withdrawn the objection or the objection is irrelevant or frivolous. Having considered the one objection to the proposal and the reasons set out in paragraph 8.2 of this report there is no requirement for a public inquiry to be held.

12 Equality Comments

- 12.1 The council has a Public Sector Equality Duty (PSED) 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 protected characteristics and people who do not
 - Foster good relations between people who share those characteristics and people who do not

The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

- 12.2 The consultation documents were distributed to all households / businesses within the agreed consultation area to ensure that all stakeholders were made aware of the council's proposals.
- 12.3 Proposed measures will be of benefit to all sections of the community. It will improve the local environment and road safety for all.

13 Use of Appendices

- Appendix A – Public and Statutory consultation letter and plan
- Appendix B – Consultation Boundary
- Appendix C – Legal Notice