

Report for: Head of Service for Highways and Parking

Title: Proposed Parking Amendments outside 182 Wightman Road, N8

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Ward(s) affected: Harringay

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

1 Describe the issue under consideration

- 1.1 To determine if the proposed parking amendments outside 182 Wightman Road N8, should be introduced.
- 1.2 To request approval to proceed to make the necessary traffic management orders, 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 statutory consultation carried out from 24 January to 14 February 2024, 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 Approve the proposed parking amendments outside 182 Wightman Road N8, 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 introducing the parking amendments outside 182 Wightman Road, N8.
- 4.2 The reason why this is a non-key decision is because it will not result in the award of a contract or expenditure of £500,000 or more nor any virements and because it only relates to one ward.

5 Alternative options considered

- 5.1 Do nothing: This option was rejected as it would not deliver an improvement to road safety and so the Council would not discharge its statutory duty under section 39 of the Road Traffic Act 1988 to **“take measures to reduce and prevent accidents”**.

6 Background Information

- 6.1 Following concerns about road safety by the junction of Wightman Road and Allison Road, the Council is proposing to extend the double yellow line parking restrictions to outside 182 Wightman Road. The proposed reduction in parking will provide adequate intervisibility between pedestrians and vehicles, which will assist in tackling road danger and improving road safety.

- 6.2 The proposal includes the following:

To replace the permit holder parking bay with double yellow lines on the east side of Wightman Road, N8 outside No. 182 for a length of 5 metres, as detailed on the plan in Appendix A.

- 6.3 The Council must exercise its powers under the Road Traffic Regulation Act 1984 (as amended) (RTRA) 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 pursuant to section 122 of the RTRA. 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.

- 6.4 When determining what parking places are to be designated/varied or revoked on highways, section 45(3) of the RTRA 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/vary/revoking parking places on the highway.

7 Consultation

- 7.1 Legal notices were placed on-street and in the local newspaper. A copy of the legal notice is shown in Appendix B.

- 7.2 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 no responses during the statutory consultation period.

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 traffic order (TMO) if the conditions in Regulations 9(3) apply otherwise the authority has a discretion whether or not to hold a public inquiry prior to the making of a TMO. There have been no objections received and so the Council is under no obligation to hold an inquiry. This report does not include the recommendation for the Council to exercise its discretion to hold a public inquiry on account of the proposals contributing towards improving road safety, road danger reduction and that holding a public inquiry would lead to expense and delay while being unlikely to alter the ultimate decision.

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 proposed changes will result in improved road safety, whilst allowing free movement of traffic outside 182 Wightman Road, N8.

The proposed parking arrangement will also help manage traffic congestion and therefore influencing choice of transport. Waiting and Loading restrictions on these roads will contribute 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 £1k. The full cost of this proposal will be fully met **from the Council's current capital programme plan.**

11 Comments of the Head of Legal Services and Governance

11.1 Before reaching a decision to make the necessary TMO to implement the measures in paragraph 6.2 of the report, the Council must follow the statutory consultation procedures in the RTRA and LATOR including consulting with the parties set out in paragraph 7.2 above and placing/publishing notice of the proposal(s) and making the draft TMO/notice of proposals available for inspection at its offices as described in paragraph 7.1.

- 11.2 No representations have been received in response to the consultation on the proposals in paragraph 6.2 of this report and so no judgment needs to be exercised as to how much weight each representation should carry and whether or not to approve any of the measures in the proposals in light of the representations.
- 11.3 The Council's powers in relation to the making of TMOs for the proposal in paragraph 6.2 above are contained in sections 6, 45, 46 and schedule 1 paragraphs 1-22 of the RTRA.
- 11.4 Section 45(3) of the RTRA requires the Council to have regard to the need for maintaining the free movement of traffic, reasonable access to premises and the availability of off-street parking when deciding whether to revoke parking places from the highway, balancing the various considerations and concluding that the revocations are an appropriate outcome. The factors which have pointed in favour of revoking the parking places identified in Appendix A are set out in paragraph 6.6 of this report.
- 11.5 Section 122 of the RTRA requires the Council to have regard to factors pointing in favour of imposing a restriction on the movement of traffic and those pointing in favour of securing the convenient and safe movement of such traffic, balancing the various considerations and concluding that the restrictions represent an appropriate outcome. The factors which have pointed in favour of introducing the no parking restrictions identified in paragraph 6.2 and Appendix A are set out in paragraph 8.2 of this report.
- 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. No objections were received to the proposals so there is no obligation for a public inquiry to be held. It would be lawful for the Council to decide not to hold a public inquiry for the reasons explained in paragraph 8.2 of this report.
- 11.7 The decision to approve the proposals in paragraph 6.2 is an executive decision that can be exercised by the Head of Highways and Parking in accordance with the **Council's Constitution and delegation given by the Director of Environment and Neighbourhood** in his scheme of delegation dated 13 March 2023.

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 We do not anticipate any negative impacts from the implementation of these changes and have not received any objections during the consultation phase for this scheme.

13 Use of Appendices

- Appendix A – Plan
- Appendix B – Legal Notice