

**REPORT FOR: Traffic And Road Safety  
Advisory Panel**

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<b>Date of Meeting:</b>	12 February 2015
<b>Subject:</b>	Controlled Parking Schemes – Review of scheme development process
<b>Key Decision:</b>	No
<b>Responsible Officer:</b>	Caroline Bruce - Corporate Director of Environment and Enterprise
<b>Portfolio Holder:</b>	Varsha Parmar - Portfolio Holder for Environment, Crime and Community Safety
<b>Exempt:</b>	No
<b>Decision subject to Call-in:</b>	Yes
<b>Wards affected:</b>	All
<b>Enclosures:</b>	<b>Appendix A</b> – Current Scheme development process “Stages involved in developing a CPZ” <b>Appendix B</b> – Proposed Scheme development process

## **Section 1 – Summary and Recommendations**

This report undertakes a review of the scheme development process for parking management schemes and recommends changes to improve the process.

### **Recommendations:**

The Panel is requested to recommend to the Portfolio Holder for Environment, Crime and Community Safety the following:

1. that the scheme development process is amended as shown in Appendix B,
2. that a meeting is held with the Chair of TARSAP and the Portfolio Holder early in 2015/16 to approve a standard format for public consultation and statutory consultation documents,
3. that a meeting is held with the Chair of TARSAP and the Portfolio Holder early in 2015/16 to approve a standard set of scheme options suitable for the most common parking issues reported to TARSAP,

### **Reason:**

To assist the Panel to make recommendations on parking management schemes which are transparent, objective and reflect the majority view of communities.

## **Section 2 – Report**

### **Introduction**

- 2.1. Parking has a significant impact on the quality of life of Harrow's residents and a significant impact on the viability of Harrow's businesses and is one of the main transport issues reported to the Council.
- 2.2. A programme of parking management schemes is undertaken annually to address these problems which is agreed by the Panel. During the course of each year the Panel reviews consultations undertaken on these area based controlled parking schemes and makes recommendations on how the schemes should be implemented.
- 2.3. This report reviews the current scheme development process based on recent experiences with schemes reported to the panel over the last 12 - 18 months and considers ways of improving the process.

## **Options considered**

- 2.4. An approved scheme development process has been followed in recent years to ensure schemes are developed on the same evaluation basis. In particular the quality of information/enquiry and reporting of information provided during consultations with local people and stakeholder engagement is extremely important in proposing suitable and proportionate schemes so that the Panel can make informed recommendations. The current process can be seen in appendix A.
- 2.5. The option being considered is to undertake a review of the process and to recommend any necessary changes required.
- 2.6. Areas for improvement have been identified in the process that will assist the Panel to make recommendations which are transparent and objective and reflect the majority view of the public. A revised process is proposed based on the findings in this report.

## **Current scheme development process**

- 2.7. Area based controlled parking schemes have a significant customer focus and successful scheme development is very dependent on effective stakeholder consultation. This is due to the wider impact of parking controls and of introducing charges (where applicable) on people living, working or travelling in the area affected. It is necessary to demonstrate that there is majority support for the scheme and that there is wider public acceptance before it is introduced and becomes operational.
- 2.8. The existing scheme development process, shown in Appendix A, indicates four basic stages undertaken to develop a scheme. These are as follows:
  - Stage 1 – stakeholder meeting (review scope of scheme),
  - Stage 2 – Public consultation exercise (leaflets / questionnaires),
  - Stage 3 – Scheme design (detailed plans and layouts),
  - Stage 4 – Statutory consultation (draft traffic regulation orders).
- 2.9. The stages identified in the process do not need to change as they follow established best practice and the review will focus on the way in which each stage is undertaken.

## **Review of Stage 1**

### Stakeholder engagement

- 2.10. The purpose of the stakeholder meeting is to bring together all community representatives, ward councillors, the Chair of TARSAP and officers to

discuss and define the issues to be addressed by the scheme, to specify the types of solutions to be considered and to set out the extent of the area for consultation.

- 2.11. These meetings shape the way in which the public consultation will be undertaken and correctly defining the scope is fundamental because it will affect all of the subsequent stages of scheme development.
- 2.12. A common recurrent issue at stakeholder meetings has been to widen the scope of the scheme to address every parking issue highlighted at the meeting, often over a very wide area, which can involve consulting a larger number of people. Areas are holistic and so they may end up containing areas that have reported issues as well as those that have not and are not relevant..
- 2.13. The potential problems with this are as follows:
  - The demands on the budget increase as the extent of the potential scheme increases and can affect the delivery of other schemes in the programme,
  - A larger number of residents and businesses are included in the area consulted where no issues or problems have been reported potentially arousing concerns in those localised areas about the need for possible measures,
  - A larger level of resources and staff time is required to deal with the volume of enquiries, consultation responses, petitions, etc. which increases costs
  - More additional public consultations become necessary to clarify public opinion where results are unclear or response rates are low
- 2.14. Additionally the types of measures suggested may not necessarily be the most appropriate for consideration or may restrict choice before the wider public have been consulted. Often there are preconceived ideas about particular measures or a misunderstanding about operating principles which can limit the effectiveness of the options.
- 2.15. It is therefore recommended that officers present to the stakeholders group a summary of the actual problems reported, the most suitable options for consideration and the most appropriate consultation area. Stakeholders can then discuss, review and refine the proposal and agree how the public consultation will proceed. This will ensure that the scope of the scheme is managed more effectively.

## **Review of Stage 2**

### Public consultation exercise

- 2.16. The public consultation stage is where most residents become aware that a scheme is being considered in their area and receive a leaflet explaining what is happening and a questionnaire designed to receive comments with a set of questions as well as space to provide individual comments.
- 2.17. Officers distribute consultation material and questionnaires to premises in the agreed consultation area specifying a deadline for responses. A reply paid post facility is provided to encourage responses. In addition consultation material is also available online via the Council's website with questionnaires that can be completed online. Exhibitions are held within or as close as possible to consultation areas to allow the public to speak with officers directly about the scheme. In all cases consultation material is displayed or made available for inspection at the Civic Centre and contact details are available on all consultation material to enable further information or clarification to be provided on request.
- 2.18. Leaflets can also be made available in different languages and the council offers translations where required.
- 2.19. Whilst a lot of effort is made to engage with the public the information received by residents needs to be clear, concise and easily understood in order for the completion of questionnaires to be accurate and consistent. The consultation results are ultimately used by members to make recommendations about the proposed scheme and therefore the effectiveness of the consultation material heavily influences the quality and accuracy of the information received.
- 2.20. A review of consultation material used over the last 12 - 18 months has highlighted a number of issues needing to be addressed as follows:
- The written information included in the leaflets is extensive often over 3 pages of A4. Details of the actual problems and solutions for the specific area, however, do not go into enough detail. This is the information of more importance to the consultee when considering completing the questionnaire,
  - The whole of the scheme development process is explained in the leaflet in detail and takes up a lot of space. Consultees would be more interested in the current stage and what happens next.
  - The format of questionnaires has varied considerably and the way in which questions are asked or the correct method for completing the questionnaire requires greater clarity in their formulation. Inevitably if consultees complete the questions with differing interpretations of what they mean it will have an effect on the results.
  - It is unclear to consultees how the information will be used and whether their responses can be disclosed to the wider public.

- 2.21. A number of changes are required to the way in which consultation material is prepared in the light of this. For future parking management schemes it is suggested that consultation material be prepared taking account of the following:
- The structure and format of the document needs to be changed and standardised to improve clarity and the quantity of information reduced so that only the key information is included. The use of before and after photos to illustrate examples of similar solutions implemented in other areas would help to clarify what residents are being asked to consider. In this way there will be less confusion as to what is being proposed.
  - The structure and format of questionnaires needs to be changed and standardised to improve consistency. The wording of questions need to be more clear and explanations of which questions to complete and how to complete them also made clearer. In particular where residents are asked to indicate preferences in terms of solutions the options should have explanations on the pros and cons provided to help decision making.
  - It should be made clear on questionnaires that responses returned will be available for public inspection but that names and addresses will be redacted so that the identity of individual respondents cannot be identified. This will encourage people to respond where they may be concerned about being identified. Any freedom of information requests to see consultation returns can then be provided on that basis.
- 2.22. Officers will develop a model consultation document and questionnaire for consideration before the next large parking management scheme consultation in 2015/16 proceeds. One of the schemes to be agreed in 2015/16 will be used for this purpose. A meeting will be organised with the Chair of TARSAP and the Portfolio Holder to review and agree the format in advance. Members of the Panel will subsequently be advised of the agreed format in due course.

#### Road layout plans

- 2.23. One weakness at this stage of the consultation is that layout plans of where parking bays or yellow lines could be located are not provided. This would give a clear idea of how much parking space would be available in a controlled parking environment and take account of the road dimensions, vehicle accesses, vehicle turning circles and the requirements of the Highway Code for example. Such plans displayed at an exhibition and available at the Council offices would allow consultees to visualise where parking space can or can't be located within their road. It would not constitute a firm proposal but be mainly intended to provide more information. Officers would be able to include ideas or suggestions for how parking space could be utilised.

- 2.24. It is recommended that road layout plans are produced for consultees to view at stage 2.

Analysis of public consultation results

- 2.25. The analysis of the consultation results presented to TARSAP is prepared following a number of established basic principles as set out below:

- The general principle is to establish an area for the scheme that reflects where a majority of consultees support particular options.
- The results in individual streets are not intended as an absolute decision on whether a street is included in a scheme or not. The information is considered in the context of a wider review of the results to determine the most suitable overall outcome.
- One response per property is permitted. This is intended to ensure that the spread of responses are consistent and are not distorted by multiple responses per household. Where multiple responses are received the first one received will count.
- Roads that indicate greater than 50% support are considered to have a majority.
- Roads are analysed on a road by road basis initially to establish where areas of support for proposals are.
- Because roads vary in length and nature areas of support may also be refined and further identified in part sections of road. This is done by reviewing the exact locations of responses in the road with a dot map (not for public inspection).
- Area control schemes need to be holistic and so groups of roads and part sections of roads that are grouped closely together and share similar views can be developed into a scheme.
- Where a road that does not indicate support is surrounded by other roads that do indicate support then the road will be included in the scheme otherwise this would expose that road to parking displacement.
- Where the results indicate that a road does not support a scheme but also indicates that they would change their mind if a neighbouring road demonstrated support, then those roads may be included within a scheme. Questionnaires include a question to indicate this preference because it is recognised that parking displacement can occur from neighbouring roads with parking controls.
- The proportion of people responding to the consultation is noted. Response rates vary significantly based on the type of area. Generally there is an aspiration to achieve about a 20% level of response. It is

unrealistic to expect significantly higher response rates and decisions on schemes will always be based on the information provided by those people that choose to respond to consultation.

- An independent quality assurance check will be organised to check the information prepared to ensure that it is accurate.
- 2.26. In general the considerations undertaken to recommend a particular scheme is not an exact science. It is based on a combination of the officer's technical review of the consultation results and the member's discretion in reviewing the information and reconciling their own knowledge and understanding of the community views with the results.
- 2.27. A large number of schemes have been successfully implemented in recent years and the process has demonstrated that it functions relatively well. As a consequence few changes are considered to be necessary.
- 2.28. The only recurrent issue highlighted by residents has been the level at which a majority view is established. It may be easier to justify a majority if a higher 60% level of support is required in the road by road analysis. It is suggested therefore that future schemes are assessed on this basis.

#### Scheme options and operational times

- 2.29. There is always a desire to offer as much customer choice as possible with regard to the types of parking solutions available and a range of different operational times in order to tailor schemes to local requirements. However, an excessive amount of choice will also lead to greater difficulty in agreeing schemes due to the range of options available and also increased difficulties in undertaking the enforcement of schemes due to the wide range of variations implemented on the ground. There are a number of particular issues arising as a consequence of this:
- There is a large number of schemes that operate for 1 or 2 hours per day. The rationale for this is simply that it prevents all day parking and minimises any restrictions on residential parking. However, it creates huge problems for undertaking enforcement because there is a limited resource that is required to oversee a large area of restrictions with only 1 or 2 hours a day to do this. Even with different hours being selected in different areas this still creates problems in scheduling enforcement activities.
  - There are some schemes using waiting restrictions (yellow lines) only without including any parking bays during the controlled times. This penalises everybody wanting to park including local residents. There are often complaints about this type of restriction on local parking which usually operates for a short period of the day. There is absolutely no difference between a scheme that has yellow lines only and one that includes yellow lines and permit parking bays as the impact on long stay



parking is the same. It is simply that the scheme with bays provides the possibility of parking for the local community during the controlled hours.

- Schemes are often subdivided into a number of different zones because different operational times are specified. This can be more confusing for motorists in understanding the regulations in force and for enforcement officers to enforce accurately. In addition it limits permit holders from parking in other roads that may be in a different zone and reduces available space on-street during the operational hours. Zone segregation should have a clear rationale based only on the type of parking problems encountered and the operational requirements desired.

2.30. This is a snapshot of the types of issues caused by the huge variation in schemes. The way to improve this situation would be to establish a set of standard solutions that covers the main recurrent parking issues. Public consultations should be limited to these standard solutions in the first instance.

2.31. For example in Brent a standard solution is used for preventing long stay parking or commuters by operating schemes from Monday – Friday, 10am – 3pm. The premise is that residents that park on-street and commute to work would leave and return outside of the operational hours but the longer 5 hour operational period provides a larger window of opportunity to organise enforcement activities. This results in better enforcement with negligible impact on local residents.

2.32. It is therefore suggested that a standard set of solutions is developed for consideration. A meeting will be organised with the Chair of TARSAP and the Portfolio Holder to review and agree the options in advance. Members of the Panel will subsequently be advised of the agreed format in due course.

### **Review of Stage 3**

#### Scheme design

2.33. Currently officers prepare detailed designs of the parking management schemes based on the approved recommendations made by TARSAP when the public consultation results are considered.

2.34. Where schemes may be contentious a meeting with the Chair of TARSAP, the Portfolio Holder and ward councillors is arranged to review the plans and any minor changes to the designs necessary are agreed at this meeting.

2.35. A draft traffic regulation order (TRO) is then prepared which accords with the scheme plans. The TRO is a prescriptive and detailed written document that sets out the scheme designed and must reflect the plans drawn up exactly. The Road Traffic Regulation Act gives the Council powers to make TROs.

- 2.36. This part of the process works well and no changes are suggested.

#### **Review of Stage 4**

##### Statutory consultation

- 2.37. At this stage the draft TRO is advertised with notices placed in local papers and in the London Gazette. In addition notices are placed on site in the roads affected by the proposed scheme.
- 2.38. A copy of the draft TRO is sent to statutory consultees such as the Police and emergency services and their comments are invited.
- 2.39. A leaflet is distributed to premises within the area of the proposed scheme at the same time that the TRO is advertised that explains the statutory consultation is underway and reminds residents what the agreed scheme is and clarifies how they can make formal representations if necessary.
- 2.40. Formal objections or representations have to be made in writing by the closing date and provide clear material reasons for how they are affected by the scheme. Frivolous comments which provide objections without giving clear or relevant material reasons are unlikely to be considered.
- 2.41. A key principle of advertising the traffic regulation order is that it represents an exact scheme recommended by the Panel and approved by the PH and will only be amended in response to objections and representations raised during the statutory consultation period. The statutory consultation period is a minimum period of 21 days.
- 2.42. One problem that is evident at this stage is that residents often confuse the statutory consultation as being a second opportunity to make comments and refine the proposal. This may be because some leaflets used in recent years have included space to write comments and sometimes questions included to clarify issues that may have arisen since the Panel agreed a scheme.
- 2.43. Ultimately this has caused confusion and so it is recommended in future that the styling and format of the leaflet is amended to provide key information only so that it does not look like another public consultation.
- 2.44. Officers will develop a model statutory consultation document for consideration and a meeting will be organised with the Chair of TARSAP to review and agree the format in advance. Members of the Panel will subsequently be advised of the agreed format in due course.

##### Analysis of statutory consultation results

- 2.45. The analysis of the statutory consultation results presented to TARSAP is prepared following a number of established principles as set out below:

- The main principle is to establish which objections have substantive material objections and then to evaluate them weighing up the advantages and disadvantages. Objections will be either overruled and no changes made to the scheme or, upheld and minor amendments made to the scheme to mitigate the impact.
  - The report presented will review the objections on a road by road basis and indicate any overrules or minor amendments to the scheme. A list of the objections will be provided with the grounds for objection and a recommended course of action outlined with reasons.
  - It is very important to note with regard to any amendments that the content of the TRO can only be reduced in scale but no additions can be made.
  - Where the amendments required may be significant or additions to the scheme or new proposals are likely then a new public consultation will be required (return to stage 2) and consideration given to the impact on the budget, resources and the overall programme of works.
- 2.46. In reports to TARSAP direct comparisons have sometimes been made between the public consultation results and the statutory consultation results to try to see if levels of support remain consistent. However, this has not always been helpful because the consultations are fundamentally different. Whilst the public consultation asks for support or opposition to be demonstrated the statutory consultation only focusses on problems or issues and only indicates levels of opposition or unresolved issues. Supporters of a scheme are unlikely to respond to a statutory consultation.
- 2.47. It is recommended that such direct comparisons are not used in future. Any information about the results of the previous public consultation can be included in the report for reference in order to demonstrate why a particular road or measure has been included in the traffic regulation order.
- 2.48. Additionally reports have sometimes included the full details of all written objections and representations taking up many pages of the report. This has provided an excess of information which is not useful for the Panel and does not necessarily help to make recommendations. It is suggested that only summaries of the information are provided in future provided that sufficient detail is available to consider and make recommendations. Copies of the actual responses will be made available for inspection as necessary with names and addresses redacted.

### **Stage 5 – Implementation and review**

- 2.49. A new stage will be added to the process. This clarifies what happens once the scheme development process is concluded. It focuses on the implementation of the scheme and how any future review may be considered. This can be seen in Appendix B.

- 2.50. At the implementation phase construction drawings and estimates are finalised and a works package is prepared and issued to contractors for implementation of the scheme. The actual implementation dates are dependent on available contractor resources, road space availability and organising any temporary TROs required to restrict on-street parking to allow road markings and street furniture to be implemented.
- 2.51. The permanent scheme TRO is formally made specifying the operational date once the successful implementation of works has been confirmed. Information about the operation of the scheme, including any application forms for permits, is distributed to all premises in the scheme area in advance of the operational date so that any applications for permits can be processed in time.
- 2.52. The scheme will be monitored during the initial 6 months of operation and if there are any substantial requests for changes or there are identified operational problems then these will be reported to the Panel.
- 2.53. The Panel will review any reported issues and where these are urgent they can decide to include small scale localised scheme reviews within the current annual work programme subject to funding. Alternatively, further consideration for a parking scheme review can be referred to the next February meeting when TARSAP considers the wider programme of work for the following year. This is at the discretion of the Panel.
- 2.54. This is currently standard practice and no changes are required.

### **Summary of changes to scheme development process**

- 2.55. To summarise the changes in the scheme development process as follows:
- Stage 1 Stakeholder engagement meeting - officers present to the stakeholders group a summary of the actual problems reported, the most suitable options for consideration and the most appropriate consultation area.
  - Stage 2 Public consultation exercise – standardised model consultation documents and questionnaires with greater clarity will be developed for future consultations.
  - Stage 2 Public consultation exercise – road layout plans providing indicative layouts will be provided at exhibitions and the Council offices for public inspection.
  - Stage 2 Public consultation exercise – a range of standardised parking management solutions will be developed for use in future public consultations.

- Stage 2 Public consultation results analysis – Majority support will be assessed on the basis of 60% support being demonstrated.
- Stage 4 Statutory consultation exercise – standardised model information documents with greater clarity will be developed for future consultations.
- Stage 4 Statutory consultation results analysis – direct comparisons between the public consultation results and statutory consultation results will not be made and any information on the previous public consultation included just for reference to demonstrate why a road or measure has been included in the traffic regulation order.
- Stage 4 Statutory consultation exercise – Only summaries of the objections and representations will be provided.
- Stage 5 will be added to clarify the implementation and review phases of a scheme. This is already current practice and there are no changes to this part of the process.

### **Risk Management Implications**

- 2.56. There is an operational risk register for transportation projects, which covers all the risks associated with developing and implementing physical alterations to the highway and this would include any parking management schemes developed.

### **Legal implications**

- 2.57. The Council has powers to introduce and change CPZ's under the Road Traffic Regulation Act 1984, The Local Authorities Traffic Orders (Procedure) (England and Wales) 1996 and The Traffic Signs Regulations and General Directions 2002.
- 2.58. The scheme development process includes the necessary statutory consultation required to propose and implement parking restrictions as required under this legislation.

### **Financial Implications**

- 2.59. There are no financial implications in this report as it only concerns streamlining the process for developing parking management schemes.

### **Equalities implications / Public Sector Equality Duty**

- 2.60. An Equalities Impact Assessment has been undertaken for the Transport Local implementation Plan of which the parking management programme is a part. A review of equality issues was undertaken and has indicated no adverse impact on any of the protected characteristic groups. There are positive impacts of the scheme on some groups, particularly age (women and children) and disability (people with mobility difficulties).

- 2.61. The scheme development process outlined in this report is designed to ensure that any schemes developed take full account of any equality issues highlighted during consultations and stakeholder engagement.
- 2.62. Data on respondents' age, ethnicity, disability, religion, gender and sexuality is collected anonymously during consultations to monitor the equality of access to any consultation material. The responses will be compared alongside the data taken from the most recent census.

### Council Priorities

- 2.63. The scheme development process detailed in the report accords with the administration's priorities as follows:
- Making a difference for communities
  - Making a difference for the vulnerable
  - Making a difference for families
  - Making a difference for local businesses

## Section 3 - Statutory Officer Clearance

Name: Jessie Man	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 20/01/15		
Name: Jennifer Affie	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 23/01/15		

<b>Ward Councillors notified:</b>	<b>YES</b>
<b>EqIA carried out:</b>	<b>NO</b>
<b>EqIA cleared by:</b>	An EqIA has been undertaken for the

Transport Local  
implementation Plan of  
which this project is a  
part. A separate EqIA is  
therefore not necessary

## **Section 4 - Contact Details and Background Papers**

**Contact:**

**Background Papers:**