

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

Date of Meeting: 23rd November 2016

Subject: Hatch End Area Parking Review –
Results of Statutory Consultation

Key Decision: No

Responsible Officer: Tom McCourt – Corporate Director,
Community

Portfolio Holder: Graham Henson - Portfolio Holder for
Environment, Crime and Community
Safety.

Exempt: No

**Decision subject to
Call-in:** Yes

Wards affected: Hatch End

Enclosures: **Appendix A** – Hatch End - Legal
Notification leaflet
Appendix B – List of objections and
officer comments

Section 1 – Summary and Recommendations

This report provides details of the legal notification (statutory consultation) carried out in 2016 regarding proposed changes to the existing hours of control within the Hatch End Controlled Parking Zone (CPZ).

The report seeks approval from the Panel to recommend to the Portfolio Holder for Environment, Crime and Community Safety that no further action is taken with regard to any changes to the operational hours of the existing parking controls in the residential roads in Westfield Park.

Recommendations:

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

1. The objections received regarding the proposed changes to the hours of control of the existing CPZ are upheld and that no further action is taken with regard to a reduction of the hours of control of the existing controlled parking zone in Westfield Park, and the objectors are informed of the decision.
2. Minor changes are made to the permit bay layout outside St Anselms Church adjacent to the western wall of the church in Westfield Park to reduce it in size and replace with a single yellow line. This will facilitate wedding or funeral vehicles at the church more easily. Guests will still be required to find alternative parking in the surrounding roads or local car parks.
3. The objection to the proposed extension of the double yellow lines on the north side of Cedar Drive is set aside, to afford additional protection for residential access and loading/unloading and to provide more space for vehicle manoeuvres at the junction with The Avenue and the objector informed of the decision.
4. That all residents in the consultation area be informed of the decision.

Reason

Objections received during the legal notification identified that residents do not support the proposed changes to the hours of control of the existing CPZ.

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 concerns reported to the Council regarding transport issues. This report summarises the results and outcomes of statutory consultation in the Hatch End area.

Options considered

- 2.2 Statutory consultation is a necessary legal process for introducing or changing restrictions on the public highway. The council as highway authority is required to consider all representations and in particular objections received during the statutory period.
- 2.3 Faced with objections to each or any aspect of the proposals the council has three options available to it:
- to accept the grounds of objection are sufficient to require for the proposal or proposals to be abandoned;
 - to consider the grounds of objection are insufficient and therefore should be set aside and the scheme proposals be implemented as advertised
 - to accept the grounds of objection require that some changes should be made to the proposals but they should proceed with those modifications.

Background

- 2.4 The Hatch End controlled parking zone (CPZ) Zone Y was introduced in residential roads surrounding Hatch End station in 2014 and operates Monday to Saturday 10-11am and 3-4pm.
- 2.5 The introduction of the CPZ led to a petition from St Anselm's Church requesting the removal of the afternoon restriction from the roads surrounding the church in Westfield Park and adjoining streets to the north of Uxbridge Road as the petitioners felt that it was having an adverse effect on the activities at the church. In addition another minor change to a permit bay outside the church was requested.
- 2.6 Separate representations were also received requesting an extension to the existing double yellow lines at the junction of Cedar Drive and The Avenue.
- 2.7 This Panel sanctioned a review of the Hatch End controlled parking zone to establish the level of support for these changes, and in December 2015 a public consultation exercise was carried out. The

results of the public consultation were reported to this Panel in February 2016.

- 2.8 The main item in this consultation was the proposal to reduce the hours of operation of the CPZ in the Westfield Park area to Monday to Saturday 10-11am. In order to do this and retain the existing operational hours in the other parts of zone Y it would be necessary to split the zone into two separate zones each with their own individual permits. The zones would have different zone identification letters and permits in one zone would therefore not be valid in the other zone as a consequence of this separation.
- 2.9 The report indicated that whilst the results of the consultation were generally inconclusive a small majority of those that responded to the public consultation from the Westfield Park area did not want any changes to the hours of control of the existing CPZ zone Y. This Panel resolved to defer a decision pending further discussions with ward councillors.
- 2.10 It was agreed following discussions between ward councillors, the Chair of the Panel and the Portfolio Holder to recognise the needs of the petitioners and proceed to statutory consultation on the proposal to remove the current afternoon restriction which operates Monday to Saturday between 3-4pm. This statutory consultation also to include (b) shortening a permit bay on the east side of Westfield Park opposite Linden Lea and its replacement by a zone time single yellow line and (c) the extension of double yellow line on the north side of Cedar Drive at the junction with The Avenue.

Legal Notification (Statutory Consultation)

- 2.11 A leaflet was delivered to all households in the Westfield Park estate, The Avenue and Dove Park in advance of the formal legal notices being advertised explaining the results of the previous consultation and outlining the process for raising objections or commenting on the proposal during the legal notification (statutory consultation) to follow.
- 2.12 A copy of the leaflet can be seen in **Appendix A**.
- 2.13 The formal Traffic Management Order notice was advertised by placing notices on street lighting columns, and adverts in a local paper on 4th August 2016. Details of where to see a copy of the order and supporting documents during normal office hours was provided in the notice. This gave anyone a chance to comment or place a formal objection by 24th August 2016. Copies of the notice were also sent to statutory consultees such as the emergency services, etc.

Legal notification (Statutory Consultation) results

- 2.14 Ten objections were received during the statutory period, nine from residents in Westfield Park area and one from a resident in The Avenue. Details of all the comments and statutory objections to the proposals (in an anonymous format) together with officer observations can be seen at **Appendix B**.
- 2.15 A letter of support was received from St Anselm's Parish Church stating "We wish to confirm that all the petitioners from St Anselm's Parish Church, Westfield Park, are in agreement that they would like to see the new proposals upheld as they meet the issues raised in our petition."
- 2.16 The results of the statutory consultation were discussed with Ward Councillors and the Chair of TARSAP at a meeting held on 17th October 2016. Those present were concerned that due weight should be taken of the needs of the church and its users and that the community aspects of the church should not be put at risk. Ward councillors were of the opinion that owing to the relatively small number of objections that had been received that the concerns of the church as outlined in the petition should be listened to and the proposed change to the operational hours of the CPZ introduced as advertised.

Consideration of objections

- 2.17 All of the objections received were from within the consultation area.
- 2.18 The shortening in the length of the permit bay and its replacement with zone time single yellow line outside the church (to facilitate wedding and funeral vehicles) represents a loss of two permit parking spaces. This aspect of the proposal did attract one formal objection, however, taking account of the number of spaces in this part of the zone it is not considered likely that it would make a significant difference to the ability of resident permit holders to find permit parking bays. It is therefore recommended that the objection be set aside.
- 2.19 The extension of the double yellow line in Cedar Drive attracted one formal objection from a resident. The extended waiting restriction was proposed for safety and access reasons. Whilst it may produce some minor inconvenience this is outweighed by the safety benefits and therefore it is recommended the objection be set aside.
- 2.20 Nine of the representations of which eight are clear statutory objections relate to the proposal to reduce the hours of operation of the CPZ.
- 2.21 A further representation (in the form of an email/letter) supportive of the change was received from the church.
- 2.22 The objections relate to concerns that difficulties caused by non-resident parking which were addressed by the introduction of the CPZ

in 2014 would return as there would be no restrictions after 11am in the advertised proposals. The residents objecting point out that a majority of responses in the public consultation on the reduction of hours favoured retaining the Monday to Saturday 10-11am and 3-4pm zone hours as reported to this Panel in February 2016.

- 2.23 The objectors fear that non-resident parking from rail travellers and more local sources will make it harder for residents to park and cause access problems. Several objectors believe that there is insufficient church based activity especially on weekdays to justify removing the afternoon restriction. Objectors have indicated that the persisting Friday parking problem after 4pm is indicative of even greater parking that would return if there were no restrictions after 11am. There are excellent public transport facilities in the area and paid for parking facilities that not too distant that visitors are able to use.
- 2.24 Several of the objectors suggested a reduction in the CPZ by the removal of just the Saturday 3-4pm period as an alternative because this period appears to them to be the busiest period for the church with the exception of Sundays (when the restrictions do not apply). Some residents do appear prepared to accept this as they recognise a problem with weddings taking place on Saturdays. It is however worth noting that the church can apply for a dispensation for parking at weddings and funerals in the same way that other churches within CPZ zones do across the borough and so such a concession for Saturdays would be excessive given that there is an existing provision for these events already.
- 2.25 The advertised proposal has the whole of the Westfield Park area removed from the Hatch End CPZ – Zone Y and forming an independent new zone which would operate Monday to Saturday 10-11am. This would affect approximately a hundred permit parking spaces as well as the zone time yellow line protecting accesses. This area was the only practical one as the church is located in the centre of that area. The creation of a new zone would prevent permit holders that were unable to find parking in their roads from using permit parking bays in zone Y or in the shared use bays on Uxbridge Road.
- 2.26 It would appear the change affecting over 250 residential addresses and around a hundred permit parking spaces has a disproportionate effect on the majority of people living in the area in order to accommodate the needs of some activities occurring at the church. The splitting of zone Y into 2 separate zones will also reduce flexibility in accommodating fluctuations in permit parking demand to the available permit parking space available because the zones will become smaller.
- 2.27 Although there was some ambiguity between the responses to the question in the public consultation in December 2015 both of them show a majority in favour of retaining the restrictions in the afternoon.

For the above reasons it is considered that that objections have substance and should be upheld, and that therefore no action should be taken to reduce the operational times of the CPZ zone Y parking bays and single yellow lines restrictions in the Westfield Park area.

Conclusion

- 2.28 The CPZ currently in place in the Westfield Park area has hours of control that were agreed following extensive public consultation. As a result of these operational hours, the roads in Westfield Park are now relatively clear of commuter parking throughout the day, leaving adequate space for residents and their visitors to park.
- 2.29 A further public consultation in 2015 showed a small majority of respondents in favour of maintaining the existing hours of control.
- 2.30 The legal notification (statutory consultation) provoked eight formal objections, a further response against and a letter in support of the proposed reduction of CPZ hours.
- 2.31 The main grounds of objection were that the improvement in parking conditions for residents that has been achieved since the introduction of the CPZ in 2014 would be reversed and is against the majority view in the public consultation.
- 2.32 Therefore, the objections made have strong material grounds and should be upheld. It is recommended that the proposal is abandoned and the existing scheme in operation remains.

Legal implications

- 2.33 Subject to statutory consultation requirements, , the Council has powers to introduce and change CPZ's under the Road Traffic Regulation Act 1984 and The Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996 and to place traffic signs.

Financial Implications

- 2.34 This scheme is part of the Parking Management programme. There is a Harrow Capital allocation for this programme of £300k in 2016/17. A sub allocation of £7.5k for implementation of the Hatch End localised area parking review was recommended by TARSAP in February 2016.

Equalities Implications / Public Sector Equality Duty

- 2.35 A programme of CPZ schemes was included in the Transport Local Implementation Plan (LIP) which was approved by full Council. The LIP was subject to an Equalities Impact Assessment where schemes were identified as having no negative impact on any equality groups.

- 2.36 A review of equality issues was undertaken and has indicated no adverse impact on any of the specified equality groups. There are positive impacts of the scheme on some equalities groups, particularly, women, children and people with mobility difficulties. Benefits are likely to be as follows:

Equalities Group	Benefit
Gender	Mothers with young children and elderly people generally benefit most from controlled parking as the removal of all-day commuters frees up spaces closer to residents' homes. These groups are more likely to desire parking spaces with as short a walk to their destination as possible.
Disability	The retention of double yellow lines at junctions will ensure level crossing points are kept clear. Parking bays directly outside homes, shops and other local amenities will make access easier, particularly by blue badge holders for long periods of the day.
Age	Fewer cars parked on-street in residential roads will improve the environment for children. Parking controls can help reduce the influx of traffic into an area, and therefore reduce particulates and air pollution, to which children are particularly sensitive.

- 2.37 Data on respondents' age, ethnicity, disability, religion, gender and sexuality was collected anonymously to monitor the equality of access to the consultation. These responses are broadly comparable alongside the data taken from the most recent census.
- 2.38 The principle of enforcing parking controls is integral to delivering the Mayor's Transport Strategy and the Council's adopted Transport LIP.

Council Priorities

- 2.39 The cycling strategy and other cycle policies detailed in the report accord with the administration's priorities as follows:

Corporate priority	Impact
Making a difference for communities	Parking controls make streets easier to clean by reducing the number of vehicles on-street during the day, giving better access to the kerb for cleaning crews.

	Regular patrols by Civil Enforcement Officers deter criminal activity and can help gather evidence in the event of any incidents.
Making a difference for the vulnerable Making a difference for families	Parking controls generally help vulnerable people by freeing up spaces for carers, friends and relatives to park during the day. Without parking controls, these spaces would be occupied all day by commuters and other forms of long stay parking.

Section 3 - Statutory Officer Clearance

Name: Jessie Man	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: 10/11/16		
Name: Louise Middleton	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 09/11/16		

Ward Councillors notified:	YES
EqlA carried out:	NO
EqlA cleared by:	An EqlA has been undertaken for the Transport Local implementation Plan of which this project is a part. A separate EqlA is therefore not necessary

Section 4 - Contact Details and Background Papers

Contact:

Bruce Bolton- Project Engineer - Parking and Sustainable Transport

Background Papers:

Previous TARSAP reports
Consultation responses