

	<h2>Hendon Area Committee</h2> <h3>26 October 2016</h3>
<b>Title</b>	<b>Oakleigh Gardens Area HA8 – request for a Controlled Parking Zone (CPZ)</b>
<b>Report of</b>	Commissioning Director for Environment
<b>Wards</b>	Edgware
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	No
<b>Enclosures</b>	Appendix A – Results for Oakleigh Gardens Area Informal Consultation Appendix B – Road by Road Analysis Drawing No. 16276-120
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## Summary

A petition named 'Save Our Road' of 35 signatories was received from the residents of Oakleigh Gardens HA8, about the commuter-related parking issues they encounter due to their roads' proximity to the Edgware 'J' Controlled Parking Zone. The matter was discussed at the Hendon Residents Forum on 18 June 2014 and the item was referred to the Hendon Area Committee of the same evening. It was determined that officers should investigate the issue with an informal consultation, to ascertain views on parking issues and controls should be carried out primarily centred on Oakleigh Gardens, but also its surrounding roads.

Subsequently, officers from the Parking Design team undertook an informal consultation, directed at residents of Oakleigh Gardens and Barnes Close, Cambourne Road, Hillersdon Avenue, Kings Drive, Lonsdale Close, & Orchard Drive. This informal consultation started

on the 16 October 2015, and concluded on the 6 November 2015.

This report summarises progress made to date and the subsequent petition received in relation to the consultation, and asks the Committee to decide how Officers should progress.

## **Recommendations**

**That the Committee note the details contained within this report and approve the following, at an estimated cost of £2,500 for item number 3 below.**

- 1. That the details and results of the informal consultation exercise are noted as shown in Appendix A and B.**
- 2. That having noted the details and results of the informal consultation exercise, that Officers should write and distribute a letter to the residents who were consulted, notifying them that overall this scheme for an extension to the Edgware 'J' Controlled Parking Zone will not be proposed.**
- 3. That, Officers carry out a statutory consultation on proposed 'at any time' waiting restrictions as described in this report**
- 4. That, subject to the decision made in 3. above, subject to no objections received to the statutory consultation, that Officers introduce the double yellow lines through the making of the relevant Traffic Management Orders;**
- 5. That subject to the decision made in 3. above, any unresolved material objections to the statutory consultation , are reported back to the Commissioning Director for Environment to resolve and for a decision on how to proceed.**

### **1. WHY THIS REPORT IS NEEDED**

- 1.1 This report provides the Hendon Area Committee with an update on progress made to date following the Hendon Area Committee decision of 18 June 2014, for an informal consultation to take place relating to the parking issues in Oakleigh Gardens, and its peripheral roads, and asks the Committee to note the actions carried out to date, and to make a decision on how to proceed.

### **2. REASONS FOR RECOMMENDATIONS**

- 2.1 On 18 June 2014, the Hendon Residents Forum, having been presented a petition received from residents of Oakleigh Gardens about the parking issues they have encountered due to their proximity of being the first uncontrolled road adjacent to the Edgware CPZ and the nearby Edgware Underground Station, referred the petition to the Hendon Area Committee of the same evening, who decided that:

- (a) an informal consultation, using a letter drop and a survey, should be carried out as soon as practicable,
  - (b) the consultation responses be analysed by officers, road by road.
  - (c) the results of the consultation and road by road analysis be brought back to the next appropriate committee meeting for consideration, with a decision on any further action to be taken at that point.
- 2.2 Accordingly having consulted with Ward Councillors, Officers carried out an informal consultation, using a letter drop and questionnaire designed to obtain opinion from residents on whether they would be in favour of joining the existing Edgware 'J' CPZ which operates between 10am to 11am, Monday and Friday.
- 2.3 The 26% overall response to the consultation (as highlighted in Appendix A) is considered average for this type of consultation and indicates that there is interest in this issue.
- 2.4 The questionnaire asked two questions as follows:
1. Do you currently experience parking problems in your road due to perceived non-resident or commuter motorists?
  2. Would you like a CPZ in your road?
  3. If a neighbouring road elected for a CPZ would you change your mind?
- 2.5 In response to question 1, 29.2% responded 'Yes' whereas 75% responded 'No'.
- 2.6 In response to question 2, 26.7% responded 'Yes' whereas 70% responded 'No'.
- 2.7 In response to question 3, 5.7% responded 'Yes' whereas 90.8% responded 'No'.
- 2.8 From the responses received to the consultation it is considered that within the consultation area, residents believe there are no major parking problems in the area and that there is overall opposition to a CPZ.
- 2.9 It should be noted that from the road whose residents' representations prompted the investigations and consultation, Oakleigh Gardens, the responses were in favour of a CPZ. Officers were therefore minded to recommend that the CPZ was extended but only to include Oakleigh Gardens.
- 2.10 However, in addition to the consultation responses a 238 signature petition was received dated 2 November 2015 categorically stating its opposition to a CPZ, which was signed by residents of a number of roads in the area.
- 2.11 The petition: "No Control Parking Zone (CPZ) Extension in Our Street" "We the undersigned hereby object to an extension of the Edgware CPZ in our street, nor do we support the restricted parking times, parking bays, extortionate charges for parking permits, fines and penalty charges, yellow

lines, white lines, signage, posts and other street furniture that are associated with authoritarian parking control in our street’.

- 2.12 This petition was reported to the Hendon Area Committee on 13 January 2016 as part of the usual process for petitions.
- 2.13 The Committee received representations from the lead petitioner Mr Tucker who were invited by the Chairman to make his representation. Committee were informed that there were an overwhelmingly number of objections to the extension of Edgware CPZ for which 238 signatures had been received.
- 2.14 There were representations from some residents claiming that Royal Mail staff were parking cars in the early morning, with doors slamming, and loud conversations. A suggestion was made to request that Barnet Council make available some spaces in the Broadwalk Centre Car Park. However, the Broadwalk Centre Car Park is privately maintained and not owned by the Council therefore it would not be possible for the Council to make such spaces available.
- 2.15 There were also representations from residents that there were traffic flow issues at the width restriction barrier, some requesting widening the barrier, and one in particular highlighting that double yellow lines should be implemented on the eastern most side of the width restriction, as vehicles can still park on the single yellow line outside the hours of operation, reducing the ease of traffic flow through this location.
- 2.16 Following discussion and having considered the petition, the Committee:

*RESOLVED that:*

- i) *The Hendon Area Committee noted the outcome of the public consultation on the CPZ proposal;*
- ii) *The Hendon Area Committee agreed not to implement the CPZ in this area in response to the outcome of the public consultation which was overwhelming not in favour.*
- 2.17 Therefore, as per the recommendation the Edgware CPZ will not be extended however, it is recommended that the proposed double yellow lines at the width barrier in Green Lane area progressed to statutory consultation, Drawing No. 16276-120.

### **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 None

#### **4. POST DECISION IMPLEMENTATION**

- 4.1 That the consultation decided upon will be carried out as soon as practicable, in line with existing work programmes, and should a statutory consultation be carried out all necessary statutory requirements under the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulation 1996 (as amended) will be complied with.

#### **5. IMPLICATIONS OF DECISION**

##### **5.1 Corporate Priorities and Performance**

- 5.1.1 Improving parking and traffic conditions in Oakleigh Gardens and effectively managing the traffic movement throughout the local road network contributes to the Corporate Plan priority "A Successful London Suburb" and contribute to strategic objectives of "keeping Barnet moving through the efficient management of the roads and pavements network" by improving the quality of life for residents through affording them better parking protection and by improving the traffic and parking conditions, contributing to "The Sustainable Community Strategy for Barnet 2010-2020.

##### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 5.2.1 The costs of carrying out a statutory consultation for the proposed 'at any time' waiting restrictions which includes drafting the relevant Traffic Management Orders and legal notices, advertising, writing to affected frontages and considering feedback and objections to the proposed measures, and implementing the measures are estimated to be £2,500 and could be met from the Local Implementation Plan (LIP) allocation for Parking Reviews for 2016/17.
- 5.2.2 Any double yellow lines introduced will require sufficient on-going enforcement to ensure the measures are adhered to which will be met by the Special Parking Account.
- 5.2.3 The lines and signs require periodic on-going routine maintenance which will be met by the Special Parking Account
- 5.2.4 Income derived from Penalty Charge Notices will all be attributable to the Special Parking Account.

##### **5.3 Social Value**

- 5.3.1 Not applicable in the context of this report.

##### **5.4 Legal and Constitutional References**

- 5.4.1 The Traffic Management Act 2004 places obligation on authorities to ensure

the expeditious movement of traffic on their road network. Authorities are required to make arrangements as they consider appropriate for planning and carrying out the action to be taken in performing the duty.

- 5.4.2 The Council as the Highway Authority has the necessary legal powers to introduce or amend Traffic Management Orders through the Road Traffic Regulation Act 1984.
- 5.4.3 The Council's Constitution, Annex A for Responsibility for Functions, paragraph 2 of Area Committees section states "Discharge any functions, within the budget and policy framework agreed by Policy and Resources, of the theme committees that they agree are more properly delegated to a more local level and it includes discharge of functions for local highways and safety schemes within the budget.

## **5.5 Risk Management**

- 5.5.2 It is not considered the issues involved are likely to give rise to policy considerations as any double yellow lines would improve improve the traffic flow by helping to disperse local traffic into the wider network of local roads.
- 5.5.3 It is considered the issues involved proposing or introducing a double yellow lines may lead to some level of public concern from local residents who feel do not wish for a the controls to be introduced. However, it is considered that adequate consultation across a sufficient area, will ensure that members of the public have the opportunity to comment in any informal consultation exercise or to any statutory consultation on any proposed double yellow lines, which will then be reported back to committee for their consideration.

## **5.6 Equalities and Diversity**

- 5.6.1 Section 149 of the Equality Act 2010 requires a decision-maker to have 'due regard' to achieving a number of equality goals: (i) to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Act; (ii) to advance equality of opportunity between those with protected characteristics and those without; and (iii) to foster good relations between persons with a relevant protected characteristic and those without. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It also covers marriage and civil partnership with regard to eliminating discrimination.

## **5.7 Consultation and Engagement**

- 5.7.1 In the October of 2015, the Council carried out an informal consultation with residents of Oakleigh Gardens and Barnes Close, Cambourne Road, Hillersdon Avenue, Kings Drive, Lonsdale Close, & Orchard Drive by way of a letter and a short questionnaire asking residents whether they would be in favour of a joining the extant Edgware (J) Controlled Parking Zone.

5.7.2 Statutory consultation will be carried out of the proposed double yellow lines.

## **5.8 Insight**

5.8.1 None in relation to this report

## **6 BACKGROUND PAPERS**

6.1 Agenda and Issues List, Hendon Area Committee 18 June 2014  
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=157&MId=6677&Ver=4>

6.2 Agenda and Minutes - Hendon Area Committee 13 January 2016  
<http://barnet.moderngov.co.uk/ielistdocuments.aspx?cid=717&mid=8282&ver=4>

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