	ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER 26 September 2016
<p style="text-align: center;">Title</p>	Objections received following statutory consultations on proposals to introduce various parking-related schemes
<p style="text-align: center;">Report of</p>	Commissioning Director - Environment
<p style="text-align: center;">Wards</p>	Coppetts, East Finchley, Edgware, Garden Suburb, Oakleigh, Mill Hill, Underhill
<p style="text-align: center;">Status</p>	Public
<p style="text-align: center;">Enclosures</p>	SCR125-2, SCR130-1, SCR130-14, SCR130-22, SCR119-17, SCR111-02, SCR111-03, SCR111-01.
<p style="text-align: center;">Officer Contact Details</p>	Gavin Woolery-Allen, Senior Engineer gavin.woolery- allen@barnet.gov.uk Tel: 020 8359 3555

Summary

Statutory consultation has been carried out on a range of parking-related proposals as follows:

Meadway NW11 – proposed designated disabled bay
 Cherry Tree Road N2 – proposed amendment of parking place to accommodate a proposed vehicle crossover
 Pollard Road N20 – proposed designated disabled bay
 Normandy Avenue EN5 – proposed designated disabled bay
 Edgwarebury Lane HA8 – proposed removal of resident permit parking place and introduction of Monday to Saturday 8am to 6.30pm waiting restrictions to accommodate the provision of a new pedestrian island
 Ribblesdale Avenue N11 – proposed at any time waiting restrictions
 Bittacy Hill NW7 – proposed at any time waiting restrictions

This report summarises the objections received to the proposal and determines whether the proposals should be introduced or not, and if so, with or without modification.

Decisions

- 1. That having considered the objections received to the statutory consultations on the proposals outlined in this report, that Officers should implement the measures through the making of the relevant Traffic Management Orders as follows:**
 - (a) In the case of the proposed designated disabled bay in Meadway NW11 implement a slightly modified version of the proposal as per drawing no. SCR125-2.**
 - (b) In the case of the proposed amendment of parking place to accommodate a proposed vehicle crossover in Cherry Tree Road N2, implement the changes as proposed as per drawing no. SCR130-1.**
 - (c) In the case of the proposed designated disabled bay in Pollard Road N20, implement a slightly modified version of the proposal as per drawing no. SCR130-14.**
 - (d) In the case of the proposed designated disabled bay in Normandy Avenue EN5, implement the bay as proposed as per drawing no. SCR130-22.**
 - (e) In the case of the proposed removal of resident permit parking place and introduction of Monday to Saturday 8am to 6.30pm waiting restrictions to accommodate the provision of a new pedestrian island in Edwarebury Lane HA8 implement the changes as proposed as per drawing no. SCR119-17.**
 - (f) In the case of the proposed at any time waiting restrictions in Ribblesdale Avenue N11, implement the restrictions as proposed as per drawing nos. SCR111-02 AND SCR111-03.**
 - (g) In the case of the proposed at any time waiting restrictions in Bittacy Hill NW7, implement the restrictions as proposed as per drawing no. SCR11-01.**

1. WHY THIS REPORT IS NEEDED

- 1.1 A range of parking-related proposals across the borough have been subject to statutory consultations.
- 1.2 As part of the statutory consultation process the proposals were advertised in notices published in the local Press newspapers and in the London Gazette. In addition, similar notices were erected on-street in the vicinity of the affected roads and letters and plans outlining the proposals were delivered to premises in close proximity to each proposal.
- 1.3 In response to the statutory consultations the Council received a number of objections which are outlined below.

Meadway NW11 – Proposed designated disabled bay

1.4 In response to the statutory consultation, one objection was received which can be summarised as follows:

- That the proposed location for the disabled bay is on a dangerous bend
- That the property to which the proposed bay relates to already has its own private driveway and garage
- That the bay should be provided in Heathgate NW11 which is a much quieter road

1.5 The objector also made some comments relating to the local Controlled Parking Zone (CPZ) which is not specifically relevant to the proposal.

1.6 Officer comments to the objection are as follows:

Location of proposed bay

Officers consider that the location of the proposed bay is adequate, although after discussion with the applicant, it is proposed to relocate the bay slightly by approximately 2 metres to the west.

The applicant's property already has a driveway and garage

This has been considered as part of the application process and Officers are satisfied that the bay should still be provided.

That the bay should be provided in Heathgate NW11

Officers consider that the Meadway location is the best location for the bay given the needs of the applicant.

1.7 *Having considered the content of the objection, it is considered that the proposed designated disabled bay should be implemented albeit with the amendment outlined above*

Cherry Tree Road N2 – proposed amendment of parking place to accommodate a proposed vehicle crossover

1.8 In response to the statutory consultation, one objection was received which can be summarised as follows:

- That there is insufficient parking spaces in the road
- That it is selfish for one householder to in effect annexe a space to themselves and deprives others of the opportunity to park, and that the introduction of paved driveway causes environment issues such as flooding.

1.9 The objector went on to say that they would not object to the crossover and subsequent removal of the parking bay if the Council would provide a parking space outside No. 42 Cherry Tree Road in place of the yellow line there.

1.10 Officer comments to the objections are as follows:

Insufficient spaces

Cherry Tree Road falls within the East Finchley Controlled Parking Zone that operates Monday to Saturday 10am to 6.30pm. Current records show that there are approximately 48 dedicated residents' permit parking spaces in the road. At this time 41 residents parking permits have been issued to residents of the road, which indicates that parking places in the road would not be fully utilised by permit holders living in the road. This has been supported by various ad hoc visits made to the road by Officers, where varying numbers of parking spaces have been unused.

Other issues

The other issues raised fall outside the scope of the proposal

- 1.11 It is noted that the objector would withdraw their objection should an additional permit space be provided outside No. 42 Cherry Tree Road, however the provision of an additional space falls outside the scope of the proposal.
- 1.12 However Officers will consider the request for an additional permit space for assessment and prioritisation and possible inclusion on next year's work programme.
- 1.13 *Therefore having considered the content of the objection, it is considered that the proposed amendment of a parking place should be implemented as proposed.*

Pollard Road N20 – Proposed designated disabled bay

- 1.14 In response to the statutory consultation, two objections were received which can be summarised as follows:
- That the proposed location for the disabled bay is partially outside the objector's property
 - That parking is at a premium in the road
 - That they do not believe a disabled person resides in the vicinity of the proposed bay
 - That the value of residents' properties will fall if parking (nearby) becomes more difficult
- 1.15 Officer comments to the objection are as follows:

Location of proposed bay

Officers consider that the location of the proposed bay is adequate, although after discussion with the applicant, it is proposed to relocate the bay slightly by approximately 1 metre.

Parking difficulties in the road

Officers believe that the parking difficulties in the road attributed to the applicant feeling the need to apply for a designated disabled bay so to improve their opportunity in parking near their property given the disabilities of the resident.

Do not believe a disabled person resides in the vicinity

This has been demonstrated as part of the application process and Officers are satisfied that a disabled person resides in the vicinity.

Value of properties

Officers consider that this issue falls outside the scope of the proposal

- 1.16 *Having considered the content of the objection, it is considered that the proposed designated disabled bay should be implemented albeit with the amendment outlined above.*

Normandy Avenue EN5 – Proposed designated disabled bay

- 1.17 In response to the statutory consultation, two objections were received which can be summarised as follows:

- That parking is at a premium in the road, due to its proximity to High Barnet Underground Station, and that the CPZ in the road operates for one-hour every weekday, meaning that the road is often used (by non-residents) for free before and after the hour, and on weekends. The provision of a disabled bay would make things worse.

- 1.18 Officer comments to the objection are as follows:

Parking difficulties in the road

Officers believe that the parking difficulties in the road attributed to the applicant feeling the need to apply for a designated disabled bay so to improve their opportunity in parking near their property given the disabilities of the resident.

However Officers have, following an unrelated prior representation from another resident of Normandy Avenue have included a request for additional permit spaces in this section of Normandy Avenue for assessment and prioritisation and possible inclusion on next year's work programme.

- 1.19 *Therefore having considered the content of the objections, it is considered that the proposed designated disabled bay should be implemented as proposed.*

Edgwarebury Lane HA8 – Proposed removal of resident permit parking place and introduction of Monday to Saturday 8am to 6.30pm waiting restrictions to accommodate the provision of a new pedestrian island

- 1.20 In response to the statutory consultation, one objection was received which can be summarised as follows:

- That as a dental surgery, they treat a number of elderly and disabled patients who bring their larger accessible vehicles in front of the premises
- That it is essential that ambulances can park in front of the surgery to access unwell patients, and delivery vans to deliver essential NHS equipment and appliances
- That if the proposal went ahead, disabled patients would not be able to access the practice

1.21 Officer comments to the objection are as follows:

Access for patients, ambulances and delivery vehicles

The parking place proposed to be removed is a resident permit parking place operative between 10am and 11am, Monday to Friday. This means that outside those hours, the bay is essentially free to be used by any motorist. It is considered that the current arrangements would mean that patients, ambulances and delivery vehicles referred to may not be able to access the bay on occasion if another motorist is using the bay for their own purposes.

This notwithstanding, it is accepted that the removal of the bay would impact on the opportunity for a motorist to park near the surgery, however it is considered that this is offset against the benefits a pedestrian crossing point would bring for the general public, including users of the surgery.

It is considered that there are other nearby spaces for motorists to park or load in the vicinity of the surgery, such as in Mowbray Road or slightly further south on Edwarebury Lane.

1.22 *Therefore having considered the content of the objection, it is considered that the proposed changes should be implemented as proposed.*

Ribblesdale Avenue N11 – Proposed at any time waiting restrictions

1.23 In response to the statutory consultation, five objections were received which can be summarised as follows:

- That there are no pedestrian safety issues from hindered sightlines
- That they welcome the proposal but would like an additional length of restriction introduced opposite Wharfedale Close
- That the proposed restriction in the vicinity of Garside Close is of insufficient length
- That the proposed restrictions will cause disruption to visitors (of residents)
- That the proposed restrictions will encourage speeding of vehicles to take place

1.24 Officer comments to the objection are as follows:

Pedestrian safety and sightlines

It is considered that the proposals would improve sightlines of motorists travelling along Ribblesdale Avenue, and those turning into Ribblesdale Avenue from side roads, with a resultant improvement in travel and road safety for motorists and pedestrians alike.

Additional lengths of restrictions

The provision of additional lengths of restriction falls outside the scope of the proposal. However Officers will, if the restrictions are implemented as proposed, monitor the situation and if necessary, consider the request for these additional lengths for assessment and prioritisation and possible inclusion on a future year's work programme.

Disruption to visitors

The nature of at any time waiting restrictions is that they prohibit waiting (parking) by all motorists (with a few exemptions) at all times. As a result there would be an inevitable impact on those motorists who would be inclined to park in or near the road, including any visitors of residents.

Encourage speeding

There is no evidence to suggest that the introduction of restrictions would encourage speeding of vehicles, although it is acknowledged that their introduction would provide an improved driving environment. If the restrictions are introduced as proposed, and this results in a speeding issue, the Council can consider possible solutions as part of its routine work.

- 1.25 *Having considered the content of the objections, it is considered that the proposed restrictions should be implemented as proposed.*

Bittacy Hill – proposed at any time waiting restrictions

- 1.26 In response to the statutory consultation, two objections were received which can be summarised as follows:

- That there is no need for the restrictions – this would be anti-social
- That parking restrictions must be limited to not negatively impact on local businesses

- 1.27 Officer comments to the objection are as follows:

Need for double yellow lines

It is considered that due to the works proposed in Bittacy Hill near its junction with Frith Lane, where amongst other measures, two northbound carriageway lanes would be provided, at any time waiting restrictions would be required to deter motorists from parking so to ensure the effective operation of the new road layout.

Impact on local businesses

The nature of at any time waiting restrictions is that they prohibit waiting (parking) by all motorists (with a few exemptions) at all times. As a result it is accepted that there would be an inevitable impact on those motorists who would be inclined to park in or near the road, including any motorists inclined to visit local businesses. However it is considered that the new road layout would be beneficial to the area, and that there are both local unrestricted areas, and controlled parking areas which can be utilised by motorists wishing to visit local businesses

- 1.28 *Therefore having considered the content of the objections, it is considered that the proposed restrictions should be implemented as proposed.*

2. REASONS FOR DECISIONS

2.1 The measures are required:

- In the case of a designated disabled bay, to provide a space for a vulnerable person to park near their home
- In the case of an amendment to a parking bay to accommodate the provision of a vehicle crossover, to allow a resident to park on their hardstand on their property
- In the case of waiting restrictions, to provide a safer road environment for motorists and pedestrians alike.

3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 3.1 Alternative options could be to amend or abandon the proposal, and it is considered that the proposed way forward for each case is the best way forward, having considered the content of the objections received.

4. POST DECISION IMPLEMENTATION

- 4.1 In the case of the designated disabled bays and waiting restrictions, these schemes will be introduced as soon as practicable.
- 4.2 In the case of the amendment to a parking space to accommodate access to a vehicle crossover, the applicant will be written to in order to advise of way forward, with a view to implementing the changes once the requisite fees are received

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Council's Corporate Plan states in its strategic objectives that it will work with local partners to create the right environment to promote responsible growth, development and success across the Borough. In particular the Council will maintain a well-designed, attractive and accessible place, with sustainable infrastructure across the borough. The plan also acknowledges that the future success of the Borough depends on effective transport networks.

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

- 5.2.1 The introduction of the proposed measures would require amendments to existing Traffic Management Orders (TMO). Total estimated costs for the necessary processes undertaken already, as well as those to finalise the necessary TMOs, including advertising, printing, all officer time, and the introduction of the measures, are included below.
- 5.2.2 In the case of the proposed designated disabled bays in Meadway NW11, Pollard Road N20 and Normandy Avenue EN5, approximately £1,000 per application, which will be met from existing Local Implementation Plan capital budgets (Disabled Parking Reviews) for 2016/17.
- 5.2.3 In the case of the proposed amendment of parking place to accommodate a proposed vehicle crossover on Cherry Tree Road N2, the costs to finalise the process will be sought for by the resident as this issue is a Fees & Charges item. The income would be paid into the Parking Design Team's guaranteed income account (11484).
- 5.2.4 In the case of the at any time waiting restrictions in Frith Lane NW7 and Ribblesdale Avenue N11, the costs to introduce the restriction has been paid for by the developer under Section 278/38 legislation.
- 5.2.5 In the case of the Edgwarebury Lane proposal, the costs for the scheme including the pedestrian island is expected to be £15,000, which will be met from Hendon Area Committee budget.
- 5.2.6 The works will be carried out under the existing LOHAC term maintenance contractual arrangements and through the Council's internal DLO contractor.

5.3 Legal and Constitutional References

- 5.3.1 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.
- 5.3.2 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.
- 5.3.3 Statutory consultation with all affected frontages, Ward councillors and relevant stakeholders in accordance with the provisions of The Local Authorities' Traffic Order (Procedure) (England and Wales) Regulations 1996 has been carried out.

5.3.4 The Council's charging powers are regulated by the general duty on Authorities under Section 122 of the RTRA. The Council must exercise the powers (so far as practicable having regard to the matters specified in section 122(2),) 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.

5.4 Risk Management

5.4.1 It is not considered that the issues involved are likely to give rise to policy considerations as the proposed measures have a specific purpose and benefit which has been outlined within the consultation material.

5.4.2 It is considered that the issues involved in proposing or introducing the measures may lead to some level of public concern from local residents who feel that they do not wish for the measure to be introduced, or from residents/motorists in the area concerned about parking being displaced into their road or network of roads. However, for both issues, it is considered that adequate consultation across a sufficient area has ensures that members of the public have had the opportunity to comment in any statutory consultation on any proposed measure which has been considered within this report.

5.5 Equalities and Diversity

5.5.1 Section 149 of the Equality Act 2010 outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people from different groups
- foster good relations between people from different groups.

5.5.2 The proposals in this report are not expected to disproportionately disadvantage or benefit individual members of the community.

5.5.3 It is considered that the Council has met its public sector equalities duty in considering these issues

5.6 Consultation and Engagement

5.6.1 A statutory consultation on the proposed changes has been carried out with affected business frontages and various stakeholders.

6 BACKGROUND PAPERS

6.1 None

7 DECISION TAKER'S STATEMENT

7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations.*

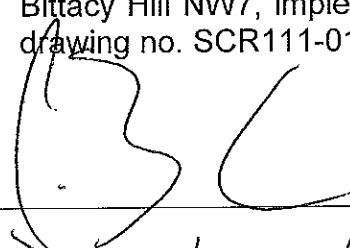
8 OFFICER'S DECISION

I authorise the following actions:

1. That having considered the objections received to the statutory consultations on the proposals outlined in this report, that Officers should implement the measures through the making of the relevant Traffic Management Orders as follows:
 - (a) In the case of the proposed designated disabled bay in Meadway NW11 implement a slightly modified version of the proposal as per drawing no. SCR125-2.
 - (b) In the case of the proposed amendment of parking place to accommodate a proposed vehicle crossover in Cherry Tree Road N2, implement the changes as proposed as per drawing no. SCR130-1.
 - (c) In the case of the proposed designated disabled bay in Pollard Road N20, implement a slightly modified version of the proposal as per drawing no. SCR130-14.
 - (d) In the case of the proposed designated disabled bay in Normandy Avenue EN5, implement the bay as proposed as per drawing no. SCR130-22.
 - (e) In the case of the proposed removal of resident permit parking place and introduction of Monday to Saturday 8am to 6.30pm waiting restrictions to accommodate the provision of a new pedestrian island in Edgwarebury Lane HA8, implement the changes as proposed as per drawing no. SCR119-17.
 - (f) In the case of the proposed at any time waiting restrictions in Ribblesdale Avenue N11, implement the restrictions as proposed as per drawing nos. SCR111-02 and SCR111-03.
 - (g) In the case of the proposed at any time waiting restrictions in Bittacy Hill NW7, implement the restrictions as proposed as per drawing no. SCR111-01.

Signed

Date



20 / SEP / 2016

REPORT CLEARANCE CHECKLIST

(Removed prior to publication and retained by Governance Service)

Report authors should engage with their Governance Champion early in the report writing process and record the date below. If the decision/report has been reviewed at an internal board please record the date and name of the meeting (e.g. SCB). Otherwise enter N/A. All reports must be cleared by the appropriate Director/AD, Legal, Finance and Governance as a minimum. **Legal, Finance and Governance require a minimum of 5 working days to provide report clearance. Clearance cannot be guaranteed for reports submitted outside of this time.**

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