

	<h2>ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER</h2>
<p style="text-align: right;">Title</p>	<p>Introduction of motorcycles business permit, removal of payment exemption for motorcycles in certain payment bays and creation of a motorcycle business permit bay in East Finchley CPZ in High Road N2.</p>
<p style="text-align: right;">Report of</p>	<p>Commissioning Director - Environment</p>
<p style="text-align: right;">Wards</p>	<p>East Finchley</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Enclosures</p>	<p>Drawing Nos.</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Gavin Woolery-Allen Email: gavin.woolery-allen@barnet.gov.uk</p>

Summary

In response to concerns raised by residents and Councillors this report outlines measures that Officers consider necessary to prevent a large number of delivery motorcycles parking freely in on-street payment parking places (pay by phone) on High Road N2 to the detriment of other motorists wishing to park in High Road N2. The report also seeks to introduce, on an experimental basis, a specific business permit for motorcycles in the East Finchley Controlled Parking Zone (CPZ) and convert an existing motorcycle bay to a permit bay which will only allow those with this specific motorcycle permit to park in this bay.

Decisions

1. That Officers should implement the measures shown on drawing no. 20495_2017_1.dwg as Appendix 1 of this report, through the making of the relevant experimental Traffic Management Orders under Section 9 of the Road Traffic Regulation Act 1984, which consists of:

- (a) The removal of the payment exemption for motorcyclists in the payment parking bay in the East Finchley CPZ located outside Viceroy Parade as follows:**
 - (i) on the west side of A1000 High Road N2, outside Nos. 25 to 85; and**
 - (ii) on the east side of A1000 High Road N2 outside Nos. 118 to 130**
 - (b) The introduction of a motorcycle business permit in the East Finchley CPZ, at a cost of £525 for a set of 4 permits per annum, with a maximum of 3 sets per year;**
 - (c) The extension of the motorcycle parking place outside Nos. 87 and 89 on High Road N2 by 5 metres and conversion to a Motorcycle Business Permit parking place.**
- 2. That any unresolved material objections received during the first six months of operation of the above measures are considered by the Commissioning Director for Environment in consultation with the East Finchley Ward Councillors, before a decision is made on whether the measures should be made permanent or not, and if so, with or without modification.**

1 WHY THIS REPORT IS NEEDED

- 1.1 This report details proposals to introduce, on an experimental basis, measures to prevent a large number of delivery motorcycles from parking freely in an on-street payment parking places (pay by phone) in the East Finchley Controlled Parking Zone (CPZ) located outside Viceroy Parade on the west side of A1000 High Road N2, between Nos. 25 and 85. It also seeks to introduce a motorcycle business permit and an associated parking place for use by motorcycle business permit holders, in order to address problematic parking caused by delivery motorcycles.

2 REASONS FOR DECISIONS

- 2.1 Historically motorcyclists have been exempt from parking charges in permit and payment parking places in the borough. It is understood that this arrangement was put in place in an era when only paper permits and pay and display tickets were issued and so it may have been impractical for motorcyclists to display the paper permits and tickets due to the exposed nature of their vehicle.
- 2.2 In recent years, electronic 'virtual' permits have been introduced, and the majority of causal payments are made via 'pay by phone' reducing the need for motorists to display permits/tickets in their vehicles.
- 2.3 Recently an issue has come to light about the parking problems caused by a large number of delivery motorcycles parking freely all day outside Viceroy Parade, High Road N2 and taking premium parking space therefore denying visitors/ customers the opportunity to park close to where they want to shop on the high street.

- 2.4 The parking place is within the East Finchley Controlled Parking Zone (CPZ), which is made up of two main residential parking controlled areas, operating Monday to Friday between 2pm and 3pm, and Monday to Saturday between 10am and 6.30pm respectively.
- 2.5 Provision in these residential areas is made to accommodate resident permit holders and business permit holders through the appropriate 'resident permit' parking places, and 'resident/business' permit places.
- 2.6 In addition, town centre parking controls consisting of payment parking bays, loading bays, disabled bays and motorcycle bays, exist on and adjacent to the main spine of the East Finchley Town Centre – High Road N2 - generally operating Monday to Saturday between 8am and 6.30pm.
- 2.7 The payment parking place outside Viceroy Parade, High Road N2 operates Monday to Saturday between 8am and 6.30pm and allows a maximum stay of 90 minutes, with the following tariffs: up to 30 minutes - £0.65; up to 1 hour - £1.30; up to 90 minutes - £1.95
- 2.8 Motorcycles are exempt from these charges and delivery motorcycles in particular park freely on a daily basis in the payment parking place, taking up the available space to the detriment of those motorists wishing to visit local shops and amenities.
- 2.9 Site visits have indicated that up to 7 motorcycles have been seen parked at any one time, taking space which could accommodate up to two cars.
- 2.10 Furthermore, the business owner of these delivery motorcycles benefit from being able to park freely in the East Finchley Controlled Parking Zone (CPZ) when other businesses who do not operate a fleet of motorcycles are compelled to purchase a permit (up to a maximum of 3 permits per business) or make payment upon parking should they wish to park their vehicles in the relevant parking places during their restricted periods.
- 2.11 Current records indicate that there are 67 'Q' business permits issued to businesses in the East Finchley CPZ and as it stands, there appears to be little concern from the local population about the adequacy of parking place provision to accommodate vehicles displaying these permits.
- 2.12 It is therefore considered that, in order to prevent these motorcyclists from parking freely and taking up valuable high street parking spaces to the detriment of shoppers and visitors to the high street, that the exemption for motorcyclists parking in payment 2 parking places in High Road should be removed.
- 2.13 It is also considered that in order to provide a dedicated facility for those businesses in the vicinity which use motorcycles as part of their business operation, that a motorcycle business permit should be created.

- 2.14 As motorcyclists tend to park perpendicular to the kerbline and therefore take up less space on-street than, say a car which would be parked parallel to the kerbline, it is considered that, the pricing structure for a new motorcycle business permit should reflect this.
- 2.15 Currently, business permits cost £26 for a weekly permit, £73.50 for a monthly permit and £525 for an annual permit for specific vehicle registrations, up to a maximum of three annual permits per business. Additionally, business permits which are not associated with any specific vehicle, and therefore could be used in any vehicle, costs £840.
- 2.16 Accordingly it is considered that the pricing structure should allow businesses to purchase a set of 4 vehicle-specific motorcycle permits for £525 (one permit with 4 motorcycles registered to this permit), up to a maximum of 3 sets per annum. This would allow a business to purchase up to 12 motorcycle business permits for their business.
- 2.17 A designated parking place is proposed for the new motorcycle business permit holders by extending the existing motorcycle bay outside Nos. 87-89 High Street by 5 metres and converting it to a permit bay.
- 2.18 The parking place is situated outside a café and Officers recognise that the cafe may object if a number of motorcycles liveried with another food company's name/logo are regularly parked outside their property.
- 2.19 The resultant effect of these changes is that, contrary to the current boroughwide practice, all motorcyclists would be required to pay the prevailing tariff via the 'Pay by Phone' system to park in the payment parking places, which would have the payment exemption removed.
- 2.20 Furthermore, except in those parking places affected by the removal of the payment exemption, motorcyclists accustomed to parking in the current motorcycle parking place would be displaced and able to park freely in other parking places in the vicinity within the CPZ.
- 2.21 The establishment of a motorcycle business permit would be an addition to the current range of permits offered by the Council, and it should be noted that the changes outlined in this report would be a distinct change of approach towards motorcyclists in terms of introducing a charge to park in designated bays.
- 2.23 It is considered that, due to the nature of the measures described in this report, they should be introduced on an experimental basis.
- 2.22 The measures recommended for implementation include:
- A. The removal of the payment exemption for motorcyclists in the payment parking bay in the East Finchley CPZ located outside Viceroy Parade on the west side of A1000 High Road N2, between Nos. 25 and 85, and on the east side of A1000 High Road N2, between Nos. 118 and 130;

- B. The introduction of a motorcycle business permit in the East Finchley CPZ, at a cost of £525 for a set of 4 permits per annum, with a maximum of 3 sets per year;
 - C. The extension of the Motorcycle parking place outside Nos. 87 and 89 on High Road N2 by 5 metres and conversion to a Motorcycle Business Permit parking place
- 2.24 Experimental Traffic Management Orders (TMOs) allows for public comments about the measures to be considered in the first 6 months of operation, and allows the Council to monitor the effects of the measures before deciding whether or not to make them permanent.
- 2.23 Experimental Orders have a maximum duration of 18 months and the first 6 months of the experiment constitute the consultation period whereby comments/objections to the proposals are received and considered. Before the 18 months is complete the Council is obliged to consider all comments received from the public about the scheme before making a decision whether or not to continue the measures permanently, and if so, with or without modification.

3 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 3.1 Problematic parking by motorcyclists was identified and it was considered that action should be taken and therefore a do nothing option was not considered appropriate. Given the nature of the concerns being addressed in this report, the recommended action is considered to be the preferred option.

4 POST DECISION IMPLEMENTATION

- 4.1 The measures will require new signs and road markings, and will require the local population to be written to in order to advise of the decisions made, with a view to implementing the measures.

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 costs of introducing the experimental parking changes, as outlined in this report, including the making of the relevant experimental Traffic Management Orders, writing to all affected properties and the work to introduce new road

signs and road markings, are estimated to be £3,000, which can be met from the Traffic and Development Section's managed budget (10648).

5.2.2 The works will be carried out under the existing DLO or LOHAC term maintenance contractual arrangements.

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 Experimental Traffic Management Orders will be introduced in accordance with the provisions of The Local Authorities' Traffic Order (Procedure) (England and Wales) Regulations 1996.

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.

5.3.5 Council Constitution, Section 15, Annex B – Responsibility for Functions Scheme of Delegated Authority to Officers states that the Commissioning Director for Environment is authorised to make "any decision for the operational effectiveness of...highways"

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 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 the process required comments in the first 6 months of the measures' operation to be considered before a decision is made to continue the measures permanently or not.

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 The experimental measures will allow the opportunity for local residents and members of the public to comment on the changes, having experienced their impacts first hand.

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

8.1 That Officers should implement the measures as shown on drawing no. 20495_2017_1.dwg through the making of the relevant experimental Traffic Management Orders, which includes:

- (a) **The removal of the payment exemption for motorcyclists in the payment parking bay in the East Finchley CPZ located outside Viceroy Parade as follows:**
 - (i) **on the west side of A1000 High Road N2, outside Nos. 25 to 85; and**
 - (ii) **on the east side of A1000 High Road N2 outside Nos. 118 to 130**
- (b) **The introduction of a motorcycle business permit in the East Finchley CPZ, at a cost of £525 for a set of 4 permits per annum, with a maximum of 3 sets per year;**
- (c) **The extension of the Motorcycle parking place outside Nos. 87 and 89 on High Road N2 by 5 metres and conversion to a Motorcycle Business Permit parking place.**

8.2 That any unresolved material objections received during the first six months of operation of the above measures are considered by the Commissioning Director for Environment in consultation with the East Finchley Ward Councillors, before a decision is made on whether the measures should be made permanent or not, and if so, with or without modification.

Signed Strategic Director of Environment

Date 28 July 2017