

	<h2>ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER</h2>
Title	Objections received following a statutory consultation on a proposal to introduce and amend existing waiting restrictions as well as the introduction of new loading restrictions on Oakleigh Road South N11
Report of	Strategic Director for Environment
Wards	Brunswick Park Ward
Status	Public
Enclosures	Appendix - Drawing no. SCR160-4a
Officer Contact Details	Gavin Woolery-Allen, Senior Engineer Email: gavin.woolery-allen@barnet.gov.uk , Tel: 0208 359 3555

<h3>Summary</h3>
<p>Statutory consultation has been carried out regarding a proposal to introduce new and amended waiting restrictions as well as new loading restrictions, designed to deter obstructive parking, improve traffic flow, sightlines and general road safety for both pedestrians and motorists in the area.</p> <p>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</p>

<h3>Decisions</h3>
<ol style="list-style-type: none"> 1. That having considered the objections received to the statutory consultation on the proposals outlined in this report, that Officers should implement the proposed measures as shown on drawing no. SCR160-4a through the making of the relevant Traffic Management Orders.

- 2. That, subject to the agreement of Network Rail, that Officers should carry out a statutory consultation on proposals to introduce 'At any time' waiting restrictions on the access road leading to the Oakleigh Road South Depot.**
- 3. That, subject to no objections being received to the statutory consultation referred to in (2) above, that the proposed restrictions should be introduced through the making of the relevant Traffic Management Orders.**
- 4. That, any objections received to the statutory consultation referred to in (2) above should be considered by the Strategic Director for Environment to make a decision on whether the proposal should be introduced, and if so, with or without modification.**

1 WHY THIS REPORT IS NEEDED

- 1.1 In response to concerns relating to lorries parked on Oakleigh Road South obstructing sight lines and exit from Oakleigh Road Depot, a statutory consultation was carried out on proposals to introduce new and amend existing waiting restrictions as well as the introduction of new loading restrictions on Oakleigh Road South N11.
- 1.2 As part of the statutory consultation process a number of local residents and businesses living and working in close proximity to the proposal received a hand delivered consultation letter and an accompanying plan outlining the proposal.
- 1.3 The proposals were advertised in the local Press, London Gazette and online via Barnet Council's Barnet Traffweb website. The proposals were also advertised on street using street notices which were erected on the affected road in close proximity to the proposed restrictions.
- 1.4 Officers have consulted the Brunswick Park Ward Councillors on the proposals and issues outlined in this report which fall within their respective Wards and as such no feedback was received.
- 1.5 In response to the consultation the Council received three pieces of correspondence. Two were from local residents and one was from a local business. The residents objected to the proposal whilst the business raised some concerns. An overview of the comments and objections received are as follows.

Residents' comments

- That the issue of vehicles speeding along Oakleigh Road South especially in the vicinity of their home should be addressed prior to the proposed waiting and loading restrictions.

- That the proposed changes to the existing parking restrictions are not required and that this view is shared by the other residents in the area.

Business' comments

- That the proposed measures would affect their trade because the heavy goods vehicles that pick up and drop off goods from their premises would have nowhere to wait on street close to their premises during busy periods especially in the mornings.
- 1.6 As a follow up to the correspondence received during the consultation, Council Officers met with one of the residents who objected, and with the directors of the business who raised concerns.
 - 1.7 During the meeting with the resident, the resident reiterated their concern and requested that the issue of speed be addressed before prior to the introduction of any proposed waiting and loading restrictions.
 - 1.8 The Council is aware of the issues relating to speed taking place on Oakleigh Road South and as such intends to, albeit at a separate time to the proposed measures, install a new pelican pedestrian crossing as well as installing additional Vehicle Activated Signs in the vicinity of the proposed restrictions.
 - 1.9 It is considered that these measures would help reduce the instance of excessive speeding along this section of Oakleigh Road South.
 - 1.10 During the meeting with the business, which was attended by a Highways Officer and the Interim Strategic Lead Commissioner for Highways, representatives from the business felt that the proposed restrictions would have an adverse effect on their business as the heavy goods delivery vehicles in particular the articulated vehicles which pickup and drop-off goods from their premises would find it difficult to find a suitable place to park on street while they wait for delivery goods vehicles parked in their yard to finish loading and unloading.
 - 1.11 In response to their concerns Officers informed the representatives of the business that the Council had a responsibility to ensure that the flow of traffic in the vicinity of proposed restrictions was maintained clear of obstructions especially during busy periods throughout the working week.
 - 1.12 Officers however acknowledged that there is pressure for delivery vehicles to be parked in close to their premises and, in the absence of any other suitable locations, agreed to review the proposed restrictions to establish whether a compromise could be established in order to provide suitable parking provisions on-street for the heavy goods vehicles that visit their premises.
 - 1.13 A further meeting between Officers and the representatives of the business took place on Oakleigh Road South to review the proposals and issues raised. During this meeting the representatives of the business requested that in the first instance a section of the proposed loading restrictions outside their premises should be removed in order to allow at least one large goods

vehicles to park while other vehicles parked inside their yard were being loaded or unloaded.

- 1.14 In addition they also suggested if Officers could consider reviewing the extent of the proposed restrictions away from their site in order to allow a place for another heavy goods vehicle to park which would help reduce the levels of obstruction which in turn would improve traffic flow in the vicinity of the business.
- 1.15 In light of the site meetings mentioned above which took place on Oakleigh Road South Officers were mindful of the effectiveness of the proposed "At any time" waiting outside the entrance to the new depot site and the southern entrance to the Builders Merchants especially when you take into account that the northern entrance of the Builders merchant is also in use on a constant basis. Therefore, Officers have recommended that the proposed "at any time" waiting restrictions outside the entrance to the new depot site are extended north-westward by approximately 60 metres which would help to improve visibility, reduce obstruction and improve traffic flow.
- 1.16 Furthermore it has come to light that there is the potential, following the widening of the access road to the new Depot, that motorists could park in that access road which would impede traffic flow and cause safety problems.
- 1.17 Therefore it is recommended that 'At any time' waiting restrictions are introduced on the access road to deter any problematic parking from taking place.
- 1.18 However, the service road falls under the responsibility and ownership of Network Rail, and therefore before the Council can introduce any measures on it, the Council will need to obtain the consent of Network Rail to introduce measures enforceable by way of a Traffic Management Order.
- 1.19 Officers are seeking to obtain the consent of Network Rail, and if this is received, it is considered that a statutory consultation should take place on a proposal to introduce 'At Any time' waiting restrictions on both sides of the road.

Recommendations

- 1.20 Having noted and considered the comments and objection received, Officers consider that although a resident doesn't believe the proposed restrictions are necessary, that they are actually necessary to ensure free-flow of traffic and road safety in anticipation of additional business activity taking place in the vicinity.

- 1.21 Furthermore the issue of speeding was noted, and Officers agree that this should be addressed through the provision of a new pedestrian crossing and a new Vehicle Activated Sign, although does not necessarily believe the speeding issues should be specifically addressed before any waiting and loading restrictions are introduced.
- 1.22 Having noted the comments from the business, Officers are mindful of the impact that the proposed restrictions would have on their operation and therefore although it is consider that the restrictions should be introduced, it is recommended that, in order facilitate the business continuing to operate a loading function on-street, the proposed restrictions should be amended as follows:
- (a) That the extent of the proposed 8am to 6.30pm Monday to Saturday waiting and loading restrictions on the southwest side of Oakleigh Road South outside the new depot site should be amended to provide a section of unrestricted kerbside space which would allow goods vehicles to park up and wait for other goods vehicles on site at the Builders Merchants yard to finish loading and unloading.
 - (b) That a section of proposed 8am to 6.30pm Monday to Saturday loading restrictions situated outside No.87 Oakleigh Road South would be removed to allow goods vehicles to load and unload continuously for up to 40mins.
 - (c) That the proposed “at any time” waiting restrictions outside the entrance to the new depot site are extended north-westward by approximately 60 metres which would help to improve visibility, reduce obstruction and improve traffic flow.
- 1.23 The amendments to the proposed restrictions outlined above are shown on plan SCR160-4a under Appendix B to this report.
- 1.24 Furthermore, should consent from Network Rail be received, a statutory consultation should take place on Monday to Saturday 6am to 6.30pm waiting restrictions along both sides of the access road to the new Depot.

2 REASONS FOR DECISIONS

- 2.1 As part of the Council’s statutory duty to ensure efficient levels of traffic flow and ensuring road safety is maintained on the road network throughout the borough, it is considered that a waiting restrictions should be introduced and/or amended which will deter obstructive parking, improve traffic flow and general road safety for both pedestrians and motorists.

3 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 3.1 Traffic and road safety issues were indentified 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 In accordance with The Local Authorities' Traffic Orders Procedure)_(England and Wales) Regulations 1996, a statutory consultation have been carried out on the proposals through notices outlining the proposals being published in the local Press and London Gazette newspapers, similar notices being erected on-street and letters being delivered to properties close to the relevant locations.

4.2 Having considered the comments received, the agreed measures would be introduced through the making of the relevant Traffic Management Orders.

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 new waiting restrictions requires amendments to Traffic Management Orders.

5.2.2 Statutory procedures require a public consultation to take place. Total estimated costs for all the processes carried out to date and all future processes, including the necessary statutory process, advertising, printing, and all officer time, including consideration of any comments received, report writing and the introduction of the measures are estimated to be £5,000 which can be met from the managed budget for Parking Design.

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.

5.4 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 ensured 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 Proposed amendments to the parking layout and/or the introduction of new waiting restrictions at Mendip Drive NW2, North Crescent N3, Burroughs Gardens NW4, Brent Street and Oakleigh Road South

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:

- 8.1. That having considered the objections and comments received to the statutory consultation on the proposals outlined in this report, that Officers should implement the proposed measures as amended as shown on drawing no. SCR160-4a, through the making of the relevant Traffic Management Orders.**
- 8.2 That, subject to the agreement of Network Rail, that Officers should carry out a statutory consultation on proposals to introduce 'At any time' waiting restrictions on the access road leading to the Oakleigh Road South Depot.**
- 8.3 That, subject to no objections being received to the statutory consultation referred to in (2) above, that the proposed restrictions should be introduced through the making of the relevant Traffic Management Orders.**
- 8.4. That, any objections received to the statutory consultation referred to in (2) above should be considered by the Commissioning Director for Environment to make a decision on whether the proposal should be introduced, and if so, with or without modification.**

Signed Strategic Director of Environment

Date 28 July 2017
