



Environment Committee

8 March 2022

Title	Controlled Parking Zone Permits Policy Position
Report of	Chairman of the Environment Committee
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	
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Summary

This report sets out a policy approach for future developments and controlled parking zones in Barnet. This approach is being recommended in order to better protect parking for residents within controlled parking zones, ensure that associated planning conditions in relation to parking are implemented, which in turn to support the delivery of the borough's Long Term Transport Strategy and Growth Strategy. This report also recommends the introduction of an administration charge to be passed on to developers to cover the cost of implementing a cap on the number of parking permits in relation to individual developments.

Officers Recommendations

1. That the Environment Committee notes the proposed position on parking permits as outlined within this paper.

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| <p>2. That the Environment Committee recommends that Full Council approves the administration charge as part of the schedule of fees and charges and for this fee to be passed on to developers as outlined at paragraph 2.8</p> |
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1. WHY THIS REPORT IS NEEDED

- 1.1 This report is needed to ensure that parking permit allocation is consistent with the evolving Local Plan and the parking provisions within the Local Plan. When parking in new developments changes from the historic pattern of being almost exclusively private parking within the development toward a development with more spaces passing to the Council as part of the adopted highway, it is proposed that a cap is placed upon the number of parking permits residents within these developments are able to apply for. This would be in keeping with the cap or limit placed upon the development in the associated planning consent which is informed by the evolving Local Plan. This paper is intended to conform the parking permit position with the Local Plan and to allow for the cost of amendments to the Council's permit issuing system and the traffic management order where appropriate.
- 1.2 A one off administrative set up fee (£25 per dwelling) for this, paid by the developer, is proposed to be introduced.

2. Background

- 2.1 The Council has a Controlled Parking Zone (CPZ) Programme which aims to address long standing requests from residents to review parking restrictions. This paper sets out a proposed approach to considering the impact of future and planned developments in the CPZ Programme, in specifically ensuring that there is an appropriate parking permit position in place which can implement the planning conditions agreed regarding parking and access to CPZ permits by the residents of those developments.
- 2.2 Currently the Council's traffic management orders set out that properties may apply for up to four resident permits. This applies to all properties regardless of the size of dwelling or number of occupants.
- 2.3 At present, the parking team liaise with the Development Management team on major developments which are being proposed and going through the planning process. This includes recommending section 106 contributions for parking to be proposed to the developer, to ensure that an appropriate financial contribution to mitigate the impact on parking in the local area is secured.
- 2.4 Where a development is of significant size this will require the developer to fund a review of the parking availability and suitability of any existing parking controls. As a result of that review, it is then to be determined whether the residents will be able to access parking permits, and if so, this access may be limited to a certain number of permits per property. This figure may be adjusted where there is partial on site (private) parking spaces and partial on street space provisions. This is increasingly common for large scale developments where the road network is altered and the new roads will be adopted by the Council at a later stage. The amount of car parking space provided for will generally be agreed in line with planning policy and may mean that some properties within the development will not have an allocated parking space.

2.5 Where a condition is agreed with a developer that would place a lower cap on permits per household, this would be with reference to the borough's residential parking standards as set out in the Local Plan, which mirror those of the London Plan policy T6.1¹.

2.6 Where the relevant planning consent does not specify that a development is car free, or sets a cap on the number of CPZ permits per property, it is proposed that the following maximum number of permits will be set as a limit for that development set out in London Plan Policy T6.1 and table 10.3. Table 1 below is for reference and shows the proposed parking standards for residential development as set out in the draft Local Plan, which are based on the standards recommended by the car parking study undertaken to support the development of the parking policy and are not a significant departure from Table 10.3 in the London Plan. It should be noted that the parking standards in the draft plan are subject to an examination in public later in the year and could change as a result before they are adopted, and the proposed CPZ permit caps within Table 1 will be monitored and kept under review with regard to their effectiveness and alignment with relevant standards as set out within planning policy.

2.7 **Table 1: Proposed maximum CPZ permits for new developments**

PTAL ²	Proposed LBB Parking Standards (draft Barnet Local Plan April 2021) Maximum parking provision*		Maximum CPZ Permits issued per property	
	1 and 2 Bed Units	3 + Bed Units	1 and 2 Bed Units	3 + Bed Units
0	1.25	1.5 [^]	1	2
1	1.25	1.5 [^]	1	2
2	0.75	1	1	1
3	0.75	1	1	1
4	0.5-0.75 [#]	0.5-0.75 [#]	1	1
5	Car Free ^{~!}	Car Free ^{~!}	0	0
6	Car Free [~]	Car Free [~]	0	0

* Metropolitan and Major Town Centres to be Car Free[~]; and Up to 0.5 spaces per dwelling be allowed for developments within Opportunity Areas.

~ With the exception of disabled persons parking, see Part G Policy T6 .1 Residential parking.

! Where the orbital PTAL is 4 or less minimal parking for car club schemes to be considered.

When considering development proposals that are higher density or in more accessible locations, the lower standard shown here should be applied as a maximum.

[^] Boroughs should consider standards that allow for higher levels of provision where there is clear evidence that this would support additional family housing.

2.8 There are costs associated with making the necessary amendments to the traffic orders and setting a maximum cap on permits issued to each property within the Council's permit system. It is proposed that these costs are charged to the developer on agreement of planning conditions and are set at £25 per property/unit.

3. REASONS FOR RECOMMENDATIONS

¹ London Plan policy T6.1, Table 10.3: https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf

² Transport for London's (TfL) Public Transport Accessibility Levels (PTALs): <https://data.london.gov.uk/dataset/public-transport-accessibility-levels>

- 3.1 Barnet's highway network is our largest, most valuable and most visible community asset and is probably the most used of all of our services, by nearly all residents on a daily basis. It is vital to the economic, social and environmental well-being of our community.
- 3.2 The Council has a duty to ensure that the statutory functions and responsibilities in relation to those highways for which the local authority is responsible are discharged through the Traffic Management Act 2004.
- 3.3 Protecting the ability of residents and businesses to park as well as the safe management of the highway will provide long term benefits and aids the Borough in fulfilling various statutory duties and strategic ambitions, notably in supporting the Long Term Transport Strategy delivery plan and Growth Strategy.

4. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

4.1 Take no action

- 4.1.1 This option is not recommended as to do nothing will lead to increased pressure on the public highway and existing residents experiencing increased difficulty parking on street due to the impact from development. This is not recommended as it does not support the Council's Growth Strategy and the Council may fail to meet its requirements to implement agreed planning decisions and the Long Term Transport Strategy.

5. POST DECISION IMPLEMENTATION

- 5.1 The proposed administration charges as set out at paragraph 2.8 will be adopted as part of the Council's Fees and Charges.
- 5.2 Officers will liaise with colleagues within the planning and regeneration service to identify new developments where planning conditions are being put in place to designate properties as car free or car limited (capped).
- 5.3 The conditions relating to access to parking permits to park within controlled parking zones as set out within subsequent planning agreements will be implemented in accordance with the statutory traffic order making process. This process includes statutory consultation.
- 5.4 Following publication of the relevant traffic order, the associated administration charges as set out at paragraph 2.8 will be calculated and charged to the developer. The Council's parking permit system will be updated to reflect those conditions and ensure that residents of that development are only able to apply for permits up to the cap as set out within the traffic order.

6. IMPLICATIONS OF DECISION

6.1 Corporate Priorities and Performance

- 6.1.1 The Council's Corporate Plan – Barnet 2024, states in its strategic objectives that it will work with partners to achieve a pleasant, well maintained borough that we protect and invest in.
- 6.1.2 This policy approach, if approved, will contribute to the Councils corporate plan by:

1. Promoting the principles of fairness to those who live within existing CPZs and areas outside CPZs which have become under increasing pressure by managing the demand for parking.

2. Improve the process by which parking arrangements for new developments are consulted upon and implemented, ensuring that services are delivered efficiently and achieve value for money.

3. Reflecting an engagement with communities and help to build stronger relationships by demonstrating that concerns are being considered and acted upon in a timely way, and that the Council's policy and decision making regarding traffic management is lawful and consistent.

4. The policy will also contribute towards the Council's Long Term Transport Strategy and Growth Strategy through the adoption and implementation of car free or car limited development conditions where these apply.

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

6.2.1 Finance: There will be a financial implication associated with these proposals in that there will be a reduction in parking permit transactions. This will not impact existing revenue, but potential future revenue may be impacted albeit not quantifiably and not to a significant extent and this impact is outweighed by the Council's statutory traffic management duties. The additional administration costs associated with these proposals will be passed on to the developer.

6.2.2 Procurement: There are no procurement implications arising from these proposals.

6.2.3 Staffing: There are no staffing implications arising from these proposals.

6.2.4 IT: Adjustments will be made to the Council's parking permit system as a result of these proposals but there are no resources required from the Council's ICT service as a result.

6.2.5 Property: There are no property implications arising from these proposals.

6.2.6 Sustainability: These proposals will contribute towards the Council's Long Term Transport Strategy and wider sustainability objectives by ensuring that developments designated as car free or car limited so as to encourage alternatives to car use and active travel are prevented from accessing permits beyond the conditions set out within the associated planning consent and/or traffic management orders.

6.3 Legal and Constitutional References

6.3.1 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.

6.3.2 The Council as the Highway and Traffic Authority has the necessary legal powers to

introduce or amend Traffic Management Orders through the Road Traffic Regulation Act 1984 and subsidiary regulations made under that Act. Where a development is proposed to be included within a controlled parking zone, statutory consultation is carried out under the provisions of the Act. This would set out the permit cap where this has been agreed as part of the planning consent for that development.

6.3.3 Council Constitution (Article 7, Committees, Forums, Working Groups and Partnerships) sets out the responsible body and their functions. For the Environment Committee it's functions include: Responsibility for all borough-wide or cross-constituency matters relating to the street scene which includes, parking and road safety.

6.4 **Insight**

6.4.1 No specific insight has been referenced within this report, however the borough's Long Term Transport Strategy and Growth Strategy provide the background to this report.

6.5 **Social Value**

6.5.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic, and environmental benefits. This report does not relate to procurement of services contracts.

6.6 **Risk Management**

6.6.1 Effective management of risk is an integral part of the Council's parking service and the Council's Risk Management Framework has established strategic and departmental risk registers into which the parking service report and monitor service level risks.

6.6.2 Approval of the policy position outlined within this paper ensures there is a clear and transparent overarching policy in place regarding private developments and/or private roads in the borough and their eligibility to park within controlled parking zones. This is effective mitigation of risk of challenge to the Council's traffic management duties.

6.7 **Equalities and Diversity**

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

- a) Eliminate discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

6.7.2 Having due regards means the need to (a) remove or minimise disadvantage suffered by persons who share a relevant protected characteristic that are connected to that characteristic (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it, (c) encourage persons who share a relevant protected characteristic to participate in public life in any other activity in which participation by such persons is disproportionately low.

6.7.3 The relevant protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnership, but to a limited extent.

6.7.4 Barnet Council is committed to improving the quality of life and wider participation for all the religious/faith, cultural, social and community life of the borough. The implementation of a clear policy in regard to the inclusion of private developments and/or private roads within controlled parking zones contributes to the overall management of the highway network for all of the borough's residents and therefore advances equality of opportunity for all and is not considered to adversely impact on persons within the protected characteristics.

6.8 Corporate Parenting

6.8.1 In line with Children and Social Work Act 2017, the Council has a duty to consider Corporate Parenting Principles in decision-making across the council. Not applicable to this report.

6.9 Consultation and Engagement

6.9.1 Statutory consultation regarding new developments is carried out as part of the planning process where interested parties have the opportunity to comment on the proposals, including concerns regarding the impact on traffic management and parking.

6.9.2 Where a development is proposed to be included within a controlled parking zone, statutory consultation is carried out under the provisions of the Road Traffic Regulation Act 1984. This provides an opportunity for local residents, businesses and stakeholders to comment on the proposals.

7. ENVIRONMENTAL IMPACT

7.1 There are no direct environmental implications from noting the recommendations. Implementing the recommendations in the report will lead to a positive impact on the Council's carbon and ecology impact as it will ensure that the planning conditions set in respect of new developments regarding parking and traffic management will be implemented.

8. BACKGROUND PAPERS

8.1 The Council's Long Term Transport Strategy and Growth Strategy form the background papers to this report.

8.2 The Long Term Transport Strategy is published here: <https://www.barnet.gov.uk/roads-and-pavements/barnets-long-term-transport-strategy-2020-2041>

8.3 The Growth Strategy is published here: <https://www.barnet.gov.uk/regeneration/our-growth-strategy/about-growth-strategy>