

Item No. 17.	Classification: Open	Date: 29 November 2014	Meeting Name: Borough, Bankside and Walworth Community Council
Report title:		Upper Ground – introducing a time limit to parking in the existing two disabled bays.	
Ward(s) or groups affected:		Cathedrals	
From:		Head of Public Realm	

RECOMMENDATION

1. It is recommended that the following non-strategic parking arrangement, detailed in the drawings attached to this report, is approved for implementation subject to any necessary statutory procedures:

Upper Ground – between Hatfields and Rennie Street:

- Introduce a parking limit of a maximum of 4 hours per day in the existing two disabled bays.

BACKGROUND INFORMATION

2. Part 3H of the Southwark Constitution delegates decision making for non-strategic traffic management matters to the community council.
3. Paragraph 16 of Part 3H of the Southwark Constitution sets out that the Community Council will take decisions on the following local non-strategic matters:
 - the introduction of single traffic signs
 - the introduction of short lengths of waiting and loading restrictions
 - the introduction of road markings
 - the setting of consultation boundaries for consultation on traffic schemes
 - the introduction of destination disabled parking bays
 - statutory objections to origin disabled parking bays
4. This report gives a recommendation to limit parking in the existing two disabled parking bays in Upper Ground to a maximum of 4 hours per day.
5. The origin and reasons for the recommendation are discussed within the key issues section of this report.

KEY ISSUES FOR CONSIDERATION

6. The proposal made is related to the development of Sea Containers House which was given planning permission (11-AP-1955) on 24 November 2011 and allows for the re-development of premises to include hotel and office accommodation through the construction of a new 9 storey building and includes

new access arrangements, car and cycle parking, ground floor retail units and public realm improvements.

Parking matters

7. The development is located within Bankside C1 parking zone.
8. The planning permission has a condition (no.14) that requires provision of measures to assist all disabled people to access and use the hotel and its facilities.
9. The two disabled parking bays were created through a traffic management order in June 2014 in line with the planning permission requirement. However, there is currently no time limit on them. In discussions with the hotel operators, officers consider that it is preferable for a time-limit to be put on the bays to encourage turnover – this is in line with other ‘destination’ disabled bays in the borough. The bays are designed to provide space for occasional disabled visitors to the hotel and other destinations on the south bank, not disabled overnight visitors, for whom separate parking is provided on site.

Policy implications

10. The recommendation contained within this report is consistent with the policies of the Transport Plan 2011, particularly:

Policy 6.5 - Provide essential parking for residents with mobility difficulties.

Community impact statement

11. The policies within the Transport Plan upheld within this report have been subject to an Equality Analysis.
12. The recommendation is area based and will therefore have greatest effect upon those people living in the vicinity of the area.
13. The limiting of parking stay will give disabled visitors direct benefit as it would encourage turnover of space and discourage all day disabled parking that may prevent other visitors using the bays.
14. The recommendation is not considered to have a disproportionate effect on any community or group.
15. The recommendation supports the council’s equalities and human rights policies and promote social inclusion by:
 - Providing disabled parking for those who are in need of it.
 - Improving road safety by reducing the need for disabled visitors to park anywhere along Upper Ground other than the designated bays.

Resource implications

16. All costs arising from implementing the recommendations will be fully met by the developer.

Legal implications

17. Traffic Management Orders would be made under powers contained within the Road Traffic Regulation Act (RTRA) 1984.
18. Should the recommendation be approved the council will give notice of its intention to make a traffic order in accordance with the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996.
19. These regulations also require the council to consider any representations received as a result of publishing the draft order for a period of 21 days following publication of the draft order.
20. Should any objections be received they must be properly considered in the light of administrative law principles, Human Rights law and the relevant statutory powers.
21. By virtue of section 122, the council must exercise its powers under the RTRA 1984 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.
22. These powers must be exercised so far as practicable having regard to the following matters:
 - a) the desirability of securing and maintaining reasonable access to premises.
 - b) the effect on the amenities of any locality affected including the regulation and restriction of heavy commercial traffic so as to preserve amenity.
 - c) the national air quality strategy.
 - d) facilitating the passage of public service vehicles and securing the safety and convenience of their passengers.
 - e) any other matters appearing to the council to be relevant.
23. By virtue of sections 45 - 46, the council may, by order designate parking places on highways in their area for vehicles or vehicles of any class specified in the order; and the authority may make charges (of such amount as may be prescribed under section 46) for vehicles left in a parking place so designated.
24. The exercise by council of functions under this section shall not render council subject to any liability in respect of the loss of or damage to any vehicle in a parking place or the contents or fittings of any such vehicle.

Consultation

25. No informal (public) consultation has been carried out.
26. Should the community council approve the recommendation, statutory consultation will take place as part of the making of the traffic management order. This process is defined by national regulations.
27. The council will place a proposal notice in proximity to the site location and also publish the notice in the Southwark News and the London Gazette.

28. Any person wishing to comment upon or object to the proposed order will have 21 days in which to do so.
29. Should an objection be made that officers are unable to informally resolve, this objection will be reported to the community council for determination, in accordance with the Southwark Constitution.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Transport Plan 2011	Southwark Council Environment and Leisure Public Realm 160 Tooley Street, London SE1 2QH Online: Southwark transport plan 2011 - Southwark Council	Robson Mupani 020 7525 4741

APPENDICES

No.	Title
Appendix 1	Copy of existing TMO public notice
Appendix 2	Existing sign
Appendix 3	Proposed sign

AUDIT TRAIL

Lead Officer	Des Waters, Head of Public Realm	
Report Author	Robson Mupani, Development Management Engineer	
Version	Final	
Dated	19 November 2014	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	No	No
Strategic Director of Finance and Corporate Services	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	19 November 2014	