

Item No.	Classification: Open	Date: 26 July 2018	Meeting Name: Cabinet Member for Environment, Transport Management and Air Quality
Report title:		Dog Kennel Hill parking study	
Ward(s) or groups affected:		Champion Hill and Rye Lane	
From:		Strategic Director of Environment and Social Regeneration	

RECOMMENDATIONS

1. It is recommended that the cabinet member for environment, transport management and air quality consider the 126 representations as summarised in Table 1 received during statutory consultation relating to the proposal to introduce a new parking zone (permit parking bays and double yellow lines) in the Dog Kennel Hill area. It should be noted that some representations provided more than one ground for objection.
2. It is recommended that the cabinet member for environment, transport management and air quality consider and determine each objection and comment as per the table prepared by officers in Appendix 1.
3. It is recommended that the cabinet member for environment, transport management and air quality approve the proposed amendments proposed by officers in response to the objections received as shown in in Appendix 3.
4. It is recommended that the cabinet member for environment, transport management and air quality instruct officers to write to each person who made representations to inform them of the council's decision.
5. It is recommended that the cabinet member for environment, transport management and air quality instruct officers to make the necessary traffic management order.
6. It is recommended that the cabinet member for environment, transport management and air quality instruct officers to proceed with installation of the parking zone in the Dog Kennel Hill area operating from Monday to Friday between 11am and 1pm as per the individual decision making report agreed on 8 December 2017.

BACKGROUND INFORMATION

7. This report makes recommendations for the determination of a number of objections that relate to traffic orders that relate to the outcome of the Dog Kennel Hill parking consultation.

9. A total of 126 representations were received by email and by post during the statutory consultation period, as shown in Tables one and two. The grounds for representation included across this correspondence are summarised in Table three. Of the 126 representations, 22 were classed as 'neutral' or supportive, the remainder as objections.
10. The representations were received as a result of the statutory consultation procedure concerning the introduction of a new parking zone in the Dog Kennel Hill area.
11. Part 3D, paragraph 23 of the Southwark Constitution sets out that determination of objections to traffic orders is reserved to the cabinet member for environment, transport management and air quality.
12. The cabinet member for environment and the public realm approved, on 08 December 2017:
 - i. That the implementation of a new parking zone in the Dog Kennel Hill area, operating Monday to Friday, 11.00am to 1.00pm at an estimated cost of £70,000 comprising of £50,000 for implementation works and £20,000 staff costs be approved, subject to the outcome of any necessary statutory procedures.
 - ii. That it be noted that a further report will be brought should there be any statutory objections to the traffic order required to implement the new parking zone.
 - iii. That the position and type of parking bays and restrictions for the new parking zone and surrounding streets as shown in the detailed design save for any amendments which may be required at the implementation stage which may be determined by officers (Appendix 2 of the report) be approved.
13. The rationale for a new parking zone in the Dog Kennel Hill area was explained in more technical detail in the consultation report.
14. The decision to introduce a new parking zone was made following public and ward member consultation. Full details of that study can be found within the background documents.
15. In accordance with legislation¹ the council advertised its intention to make traffic orders in respect of the introduction of the new parking zone, on 17 May 2018 and again on 24 May 2018 to correct errors in the initial notice.
16. The consultation period ran for 21 days from 24 May 2018 until 15 June 2018.
17. Notice was given in the London Gazette², local press (Southwark News) and street notices were placed in the affected area.
18. Notice was given to the following statutory consultees: London Ambulance Service, London Fire Brigade, Metropolitan Police Service, TfL Buses, Freight

¹ The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996

² <https://www.thegazette.co.uk/notice/2750202>

Transport Association, and the Road Haulage Association.

19. Notice was also given to non-statutory consultees including: Transport for London, Southwark Disablement Association, Southwark Disability Forum, Southwark Cyclists, Living Streets and London Travel Watch.
20. Full details of the proposal were also made available for inspection on the council's website or in person by appointment at 160 Tooley Street.

KEY ISSUES FOR CONSIDERATION

21. A total of 126 pieces of correspondence were received as a result of the statutory consultation.
22. There are a significant number of representations from residents on Grove Park. Efforts were made before the statutory consultation to engage with residents and while the majority do state that they 'wholly object' to the proposals, it is hoped that by reducing the extent of double yellow lines on the street, the majority would support some kind of parking restrictions. Officers have reviewed the proposals and are proposing to reduce the length of double yellow lines each side of all driveways on Grove Park to one metre to create approximately 23 additional parking spaces. This is a departure from our design standards and original proposals (2 metres) although it is deemed an acceptable compromise when considered against the road safety risks involved (Appendix 5). The effectiveness of this compromise solution will need to be monitored.
23. The Camberwell Conservation Society has been in regular contact with the council and often threatened legal action. The council has adhered to its statutory obligations in advertising these proposals.
24. The majority of responses were from Grove Park, if a response contained the exact wording as other responses from Grove Park but did not specify a road, it was assumed that it originated from Grove Park and was thus categorised as such in tables one and two.
25. A significant number of responses stated that visitors, including elderly and disabled visitors would be adversely affected. It is not considered that the parking restrictions would cause inconvenience for elderly or disabled visitors. Those with a Blue Badge can request a disabled parking bay outside their homes and can also park on double yellow lines for up to three hours where safe to do so. Double yellow lines can also be used for loading and unloading for up to 40 minutes where safe to do so. The parking bay restrictions will also only be in force for 2 hours, 5 days per week and outside of those times, the bays are unrestricted.
26. Each piece of correspondence received during statutory consultation was responded to with an acknowledgement email/letter.

TABLE ONE – Representation by street/property

Road	Count
Buxted Road	1
Chadwick Road	3
Champion Hill	6
Greendale	1
Grove Park	107
Grove Vale	1
Ivanhoe Rd	1
Not stated	6
Grand Total	126

TABLE TWO – Responses by street/property

Type of representation	Roads								Grand Total
Representation	Buxted Rd	Chadwick Rd	Champion Hill	Greendale	Grove Park	Grove Vale	Ivanhoe Rd	Not stated	Grand Total
Wholly Support		1	1		3				5
Support	1	1			11				13
Neutral					3				3
Comment				1					1
Object to part		1			13			1	15
Object			4		4	1			9
Wholly Object			1		73		1	5	80
Grand Total	1	3	6	1	107	1	1	6	126

TABLE THREE – Grounds for representation

Ref.	Comment/Reason for objection	Total	Percentage
1	Make parking difficult	68	54%
2	Less cars encourage speed	59	47%
3	Spoil the look of the conservation area	57	45%
4	It will make it difficult for visitors, families and elderly and disabled visitors	53	42%
5	Extent of double yellow lines on Grove Park	28	22%
6	General support for the CPZ	25	20%
7	Not enough space for all resident's cars/force them to park far away	8	6%
8	Extent of double yellow lines on Champion Hill	4	3%
9	Extend operating hours/two hour zone won't help	4	3%
10	No parking problem	4	3%
11	Cost of permits	3	2%
12	Implementation costs unnecessary money	2	2%
13	Engagement not satisfactory	2	2%
14	Parking displacement	2	2%
15	Remove double yellow line from redundant driveway	2	2%
16	Implement a restricted parking zone	2	2%
17	Double yellow lines missing from driveway on drawing	2	2%
18	Will remove green space in the area/increase the amount of driveways	2	2%
19	Build multi-storey car park	2	2%
20	Allow parking spaces for delivery vehicles on Greendale	1	1%
21	Extent of double yellow lines on Chadwick Road	1	1%
22	Errors in consultation report	2	2%
23	Issues with parking too close to driveways	1	1%
24	General objection to the CPZ	1	1%
25	Spread out the shared use bays	1	1%
26	Ban children being driven to school	1	1%
27	Double yellow lines make it difficult to load and unload	1	1%
28	Erect a sign on Greendale stating it is for access only	1	1%
29	Keep Camberwell Grove closes	1	1%
30	Threat of legal action	1	1%
31	Make life difficult for Grove Park	1	1%
32	Only put double yellow lines across existing driveways	1	1%
33	There's a parking problem	1	1%
34	Permit holders only parking	1	1%
35	Add electric charging points and car club bays	1	1%
36	Cars needed for jobs	1	1%
37	Force residents to pay excessive fees to park elsewhere	1	1%
38	No issue with cars parking across dropped kerbs	1	1%
39	Put up 'slow down' signs on Greendale	1	1%
40	Recommendations based on incorrect information	1	1%
41	Fear of residents fear mongering	1	1%
42	Grove Park should be treated as a unique street	1	1%
43	Put up signs stating no parking on the footway on Greendale	1	1%
44	Parked cars spoil the look of the area	1	1%
45	Won't be able to see car from house	1	1%
46	Unsuitable proposal	1	1%
Total		357	

27. The officer responses to the grounds for objection can be found in Appendix 1.

28. Any other comments that were raised during the statutory consultation are detailed in the respondents correspondence (Appendix 2)

Conclusions

29. The parking zone proposal has overall received a high level of support, as shown in the background documents. We have received 104 objections to the proposed parking zone. Large proportions originate from Grove Park and relate to the overall loss of parking which is in large part due to the double yellow lines

that were proposed across each dropped kerb and for 2 metres either side. As stated in point 16, officers have considered the impact of the extent of double yellow line in Grove Park and assessed the risk of reducing this from the council's usual standard of 2 metres either side of each dropped kerb (a standard based on ensuring adequate visibility for vehicles entering and exiting for road safety reasons) and as a result the proposals are being modified to reduce this to 1 metre, creating 23 additional parking spaces. This will be monitored to ensure there is no adverse impact on road safety.

30. Over 50% of comments received state that parking will become more difficult. A recent controlled parking zone we had a 40% reduction in the amount of cars parked, therefore is likely that parking will become easier for residents across the zone. Officers believe that this, coupled with the design modifications detailed in paragraph 23 above, go a long way to mitigating this issue.
31. The informal consultation yielded a 15% response rate, of which 49% are supportive of the introduction of a new parking zone in the entire study area, 12% undecided and 39% against.
32. The consultation findings and recommendations were presented to ward members in September 2017.
33. Further support for the zone was received during the statutory consultation stage.
34. The council has therefore proposed to introduce the new parking zone in the Dog Kennel Hill area as outlined in the IDM report from December 2017 subject to the changes being made to the proposed design. The changes are shown in Appendix 3.
35. Consider and determine each objection and comment and agree the proposed amendments as per the table prepared by officers in Appendix 1.

Policy implications

36. The recommendations contained within this report are consistent with the policies of the Transport Plan 2011, particularly:
 - Policy 1.1 – pursue overall traffic reduction
 - Policy 4.2 – create place that people can enjoy
 - Policy 5.1 – Improve safety on our roads and to help make all modes of transport safer.
 - Policy 5.6 - We will seek to create conditions where our roads are safe.
 - Policy 6.1 – Make our streets more accessible for pedestrians
 - Policy 7.1 - Maintain and improve the existing road network making the best use of it through careful management and considered improvements.
 - Policy 8.1 – seek to reduce overall levels of private motor vehicle traffic on our streets
 - Policy 8.2 - Promote the uptake of low emissions vehicles.

Community impact statement

37. The policies within the transport plan are upheld within this report and have been subject to an equality impact assessment.

38. The recommendations are area based and therefore will have greatest effect upon those people living, working or traveling in the vicinity of the areas where the proposals are made.
39. The implementation of a new parking zone will benefit the local community by removing commuter parking and parking displaced from other nearby parking zones resulting in an overall increase in the number of parking spaces available to residents. Residents who are entitled to a blue badge will be able to apply for a disabled parking bay outside their home.
40. There is a risk that the new parking zone may cause displacement to roads on the periphery of the proposed area which could trigger the need for further consultation and additional funding. However this cannot be entirely pre-empted until the recommendations have been implemented and observed.
41. With the exception of those benefits and risks identified above, the recommendations are not considered to have a disproportionate effect on any other community or group.

Resource implications

42. There are no additional resource implications associated with the recommendations contained within this report.
43. This report is to determine statutory objections made in relation to a proposed traffic order.
44. Any additional costs in excess of the original budget that was approved for this project on 8 December 2017 will be contained within existing divisional revenue budgets.

Consultation

45. Statutory consultation has been carried out as detailed in paragraphs 9 to 14 of this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Law and Democracy

46. The cabinet member in December 2017 agreed to approve the implementation of the parking zone in the Dog Kennel Hill area subject to the outcome of a statutory consultation.
47. As outlined in the report, the proposals concerning this new parking zone created considerable interest in the area. The results of that consultation are now available. 126 representations were received and whilst there was some support, there was also a significant number of objections and these are summarised at table three. The response from officers to these objections is set out in Appendix 1. The cabinet member for environment, transport management and air quality is now being asked to consider and determine the objections received in respect of the proposed new parking zone
48. The objections have been received following the statutory consultation process

in accordance with the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 and the Road Traffic Regulation Act (RTRA) 1984. Under Regulation 14 the council has discretion to modify the order following any objections received, and the recommendation to proceed with the proposed parking zone following the making of objections would be in accordance with Regulation 14.

49. Part 3D paragraph 23 of the Southwark Constitution gives the cabinet member for environment, transport management and air quality the authority to determine objections to traffic orders which are of a strategic nature. Accordingly, the cabinet member may approve the recommendation set out at paragraph 1 of this report with such appropriate amendments as he deems fit having regard to the content of this report.
50. The Equality Act 2010 introduced the public sector equality duty ("the PSED"), which merged existing race, sex and disability equality duties and extended them to include other protected characteristics; namely age, gender reassignment, pregnancy and maternity, religion and belief and sex and sexual orientation, including marriage and civil partnership. In summary those subject to the equality duty, which includes the council, must in the exercise of their functions: (i) have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; and (ii) foster good relations between people who share a protected characteristic and those who do not. Paragraph 33 of the report refers to the availability of parking bays to those residents entitled to blue badges. The report concludes that there is not considered to be a disproportionate effect to those residents sharing a protected characteristic in accordance with the equality act and furthermore that the effectiveness of the solution as set out in this report will be monitored.
51. It is for the decision maker (in this case the cabinet member) to determine whether or not the council has met the PSED but it is emphasised that it is a duty to have due regard and not a duty to take certain steps or achieve certain results. Taking into account the comments made in this report between paragraphs 31 and 35, it appears the cabinet member can safely take this decision in the light of the assessment made and the available mitigation for blue badge holders.
52. Once the objections have been determined by the cabinet member the traffic management orders will be made by officers under delegated powers.

Strategic Director of Finance and Governance

53. This report is requesting the cabinet member for environment, transport management and air quality to consider the representations as summarised in Table 1 received during statutory consultation relating to the proposal to introduce a new parking zone (permit parking bays and double yellow lines) in the Dog Kennel Hill area, review and approve the proposed amendments proposed by officers in response to the objections received as shown in Appendix 3. Background and full details are provided within the main body of the report.
54. The strategic director of finance and governance notes that there are no additional financial implications arising from this report at this stage

55. Staffing and any other costs connected with this recommendations to be contained within existing divisional revenue budgets

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Dog Kennel Hill report	Southwark Council Transport Projects Highways Environment and Social Regeneration 160 Tooley Street London SE1 2QH Online: www.southwark.gov.uk/parkingprojects	Joanna Redshaw 020 7525 2665
Transport Plan 2011	Southwark Council Environment and Social Regeneration Highways Transport Projects 160 Tooley Street London SE1 2QH Online: http://www.southwark.gov.uk/info/200107/transport_policy/1947/southwark_transport_plan_2011	Joanna Redshaw 020 7525 2665

APPENDICES

No.	Title
Appendix 1	Summary of objections received and officers response
Appendix 2	Objections (redacted)
Appendix 3	Proposed design amendments
Appendix 4	Original design
Appendix 5	Design Standards and Risk Assessment
Appendix 6	Map of area

AUDIT TRAIL

Lead Officer	Matt Hill, Head of Highways	
Report Author	Joanna Redshaw, Project Manager	
Version	Final	
Dated	July 2018	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Date final report sent to Constitutional Team		25 July 2018