

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 3 December 2019	<b>Report for:</b> Cabinet Member for Housing Management and Modernisation
<b>Report title:</b>		Introduction of parking Scheme on Nunhead Estate	
<b>Ward(s) or groups affected:</b>		Rye Lane	
<b>From:</b>		Director of Resident Services	

## RECOMMENDATION

1. The cabinet member for housing management and modernisation is asked to approve the following local traffic and parking amendments, for implementation subject to the outcome of any necessary statutory procedures:
  - To implement estate parking scheme on Nunhead Estate.
  - Blocks on Nunhead Estate to be included in the estate parking scheme are Creed House, Goodwin House, Tiling House, Glover House and Lancefield House.
  - This shall consist of two separate parking schemes. One scheme will be for Creed, Goodwin and Tiling House and the other one will be for Glover and Lancefield House. Nunhead Lane shall be the boundary line for each estate parking scheme area. This will also provide additional protection for the residents on the estate for forthcoming control parking zones to be introduced shortly on highways across the borough.
  - Upon approval, the next process will be to draft a Traffic Management Order, prepare the relevant TMO schedule, drawings and design to aid implementation of scheme, advertise the Traffic Management Order in line with statutory consultation procedure and carry out the estate markings and signs.
  - It is anticipated that the scheme will go live around February 2020.

## BACKGROUND INFORMATION

2. Paragraph 22 and 23 of Part 3D of the Southwark Constitution sets out that the individual cabinet member has responsibility for taking traffic management decisions including parking.
3. This report gives recommendation for a local traffic and parking amendment, involving the implementation of an enforcement and estate parking scheme.
4. The origins and reasons for the recommendations are discussed within the key issues section of this report.

## KEY ISSUES FOR CONSIDERATION

5. The Area Housing Team received numerous complaints about the parking problems experienced by residents of Creed, Goodwin and Tiling House. As a result, they identified a need for controlled parking in the area and asked the housing office to consult residents through a ballot.

6. Residents complained that they find it difficult to park because non residents park their cars on the estate. Furthermore, they believe most of the vehicles parked on their estate are for commuters who are park in the area all day because of its close proximity to using the public transport and train stations.
7. The Area Office undertook a ballot and questionnaires were delivered to 142 households which is the total number of residents in Creed House, Goodwin House, Tiling House, Glover House and Lancefield House.
8. Residents were asked if they would like the introduction of a parking scheme on their estate and were asked to respond by indicating (Yes or No). 38 responded as Yes, 5 responded as No and 1 vote was invalid. The council has a policy of proceeding with such ballots on a simple majority of ballots returned.
9. The permit scheme is for residents only and visitor permits will be allowed. The enforcement period will be Monday - Sunday, 7am-7pm and can be adjusted if required for funerals and events.
10. The 7am to 7pm enforcement period was the starting point in which contractor agreed they could deliver the service within the contract sum. The estates enforcement times were agreed during the consultation period with residents, however this can vary from estate to estate depending on the severity of the parking problems raised by the residents. Some estates may require additional visits and extended enforcement before and after the restricted hours to resolve the parking problems.
11. Having a parking scheme in the area will ensure that only residents and their visitors are entitled to park on the parking spaces available.
12. There is no current parking permit scheme for Nunhead Estate.
13. It is therefore recommended that the introduction of a parking enforcement scheme will assist residents alleviate the current issues and prevent commuter parking in the area.

### **Community impact statement**

14. The recommendations are area based, and will have the greatest effect on non-residents and non-visitors if, the proposals are made.
15. The introduction of the parking scheme will benefit residents and their visitors thorough the availability of visitor permits that can be purchased online by the resident, allowing visitors to park during the course of their visit.
16. 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.
17. The recommendations support the council's equalities and human rights policies and promote social inclusion by:
  - Providing improved access for key services such as emergency and refuse vehicles.

- Improving road safety, in particular for vulnerable estate service road users on the estate.

### **Equalities impact assessment statement**

18. Officers engaged the estate and identified where it is safe to park for residents, visitors and for essential council services to be carried out by marking out bays, yellow lines, hatched areas and providing appropriate signage.
- The estate is laid with clear direction and parking signs
  - There is clear linage for where parking is prohibited
  - The scheme allows for carers permit to be obtained where appropriate
  - Hatched areas for essentials services access
  - Identified disabled parking bays through marking and signage
  - Clear signage denoting scheme is in place

### **Resource implications**

19. All costs arising from implementing the recommendations will be fully contained within the existing Housing and Modernisation budgets.

### **Legal implications**

20. Traffic Management Orders would be made under powers contained within the Road Traffic Regulation Act (RTRA) 1984.
21. Should the recommendations 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 as amended by the 1999 regulations.
22. 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.
23. 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.
24. 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.
25. 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 or improve 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.

## **Consultation**

26. The housing office undertook a ballot through questionnaires. No formal public consultation has been carried out.
27. Should the report be approved, statutory consultation will take place as part of the making of the Traffic Management Order. The process for statutory consultation is defined by national regulations.
28. 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.
29. The notice and any associated documents and plans will also be made available for inspection on the council's website or by appointment at its 160 Tooley Street office.
30. Any person wishing to comment upon or object to the proposed order will have 21 days in which do so.
31. Should an objection be made that officers are unable to informally resolve, this objection will be reported to the cabinet member for determination in accordance with the Southwark Constitution.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law And Democracy**

32. Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 confers powers on the local authority to make traffic orders. The Regulations prescribe the procedure to be followed for making the main types of traffic and parking orders. The creation of this parking scheme is within the general powers of the Local Authority.
33. This report seeks approval for the implementation of controlled parking in the area of estates of Creed, Goodwin and Tiling, Glover and Lancefield House. The report recommends the establishment of controlled parking in the area.
34. The report refers to the consultation requirements prescribed by regulation that must be followed before implementation of the proposed parking scheme.
35. Part 3D of the council's constitution reserves certain transport issues for individual cabinet member decision. Under paragraph 22 of Part 3D the individual cabinet member has responsibility for deciding to implement traffic and highway improvement project, subject to statutory consultation, and, under paragraph 23, has responsibility for determining statutory objections to a traffic and highway improvement project.
36. The report states that consultation has been carried out with the stakeholders. The law requires the decision maker to conscientiously take into account the outcome of consultation when taking a decision on the proposal. The cabinet member is referred to the consultation section of the report.
37. The statutory duties and powers referred to in this report are noted by the Monitoring Officer, in particular the responsibilities arising from the Local

Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 as amended by the 1999 Regulations. It will be important for the council to continue to plan a parking scheme which enables compliance with these regulations.

38. The cabinet member when making a decision on the recommendation in this report is required to have due regard to the general duty under the Equality Act 2010 (PSED) and specifically to have regard to the need to (a) eliminate discrimination, harassment, victimisation or other prohibited conduct, (b) to advance equality of opportunity and (c) foster good relations between persons who share a relevant protected characteristic and those who do not share it. The relevant characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion, religion or belief, sex and sexual orientation.

### Strategic Director of Finance and Governance

39. The strategic director of finance and governance notes the contents of this report. The recommendations proposed do not give rise to any financial implications as this stage.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

### APPENDICES

No.	Title
None	

### AUDIT TRAIL

<b>Lead Officer</b>	Paul Langford, Director of Resident Services	
<b>Report Author</b>	Ade Adeite, Resident Services Manager	
<b>Version</b>	Final	
<b>Dated</b>	1 November 2019	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	No
<b>Date final report sent to Constitutional Team</b>		3 December 2019