

<b>Item No.</b> N/a	<b>Classification:</b> Open	<b>Date:</b> 13 December 2019	<b>Meeting Name:</b> Cabinet Member for Environment, Transport and the Climate Emergency
<b>Report title:</b>		Determination of Objections – Peckham West CPZ	
<b>Ward(s) or groups affected:</b>		Goose Green ward; Rye Lane ward.	
<b>From:</b>		Strategic Director of Environment and Leisure	

## RECOMMENDATIONS

1. It is recommended that the Cabinet Member for Environment, Transport and the Climate Emergency:
  - i. Consider the 77 valid representations, as summarised in Table 1, received during statutory consultation relating to the proposal to introduce a new parking zone (permit/paid parking bays and at any time loading restrictions) in the Peckham West area. It should be noted that some representations provided more than one ground for objection.
  - ii. Determine each of the grounds for objections and comments included in the correspondence, in line with the reasoning in Appendix 1.
  - iii. That objections relating to certain design features are upheld and design changes made as detailed in Appendix 3 and that otherwise the position and type of parking bays and restrictions be approved as shown in the detailed design (Appendix 2).
  - iv. Instruct officers to write to each person who made representations to inform them of the council's decision.
  - v. Instruct officers to make the necessary Traffic Management Order.
  - vi. Instruct officers to proceed with installation of the parking zone in the Peckham West area operating from Monday to Friday between 9am and 11am as per the in-principle approval of 7 August 2019, with estimated cost of £110,000 comprising of £80,000 for implementation works and £30,000 staff costs.
  - vii. That the decisions relating to further minor amendments to detailed engineering design be delegated to officers.
  - viii. That the objections to 'stop and rest' spaces in the carriageway be rejected and placeholders retained by way of double yellow lines provided and that the community is engaged on the potential use of the spaces after the zone is implemented.

- ix. Instructs officers to review the parking zone in six to nine months after implementation and to advise on whether operation days and times should be retained or amended in consideration of the consultation results.

## **BACKGROUND INFORMATION**

2. This report makes recommendations for the determination of a number of objections that relate to the draft traffic orders for the Peckham West parking consultation.
3. The representations were received in September and October 2019 as a result of the statutory consultation procedure concerning the introduction of a new parking zone in the Peckham West.
4. A total of 77 valid representations were received by email and via online form. The number and type of representations made are set out in Table 1. The grounds for objection provided in the representations are summarised in Table 2.
5. Part 3D, paragraph 23 of the Southwark Constitution sets out that determination of objections to traffic orders is the responsibility of the Cabinet Member for Environment, Transport and the Climate Emergency.
6. Officers consulted in the Peckham West area in January and February 2019 and consultation results revealed that of the 783 respondents from the area there was no clear majority (372 (48%) in favour, and 338 (42%) against a zone in their street, and 73 (p%) undecided). However, in the case of a zone being implemented in an adjacent street, enough respondents changed their mind to form a majority of 426 (56%) in support.
7. Officers presented an interim report for community discussion proposing a zone operating all day as supported by the highest number of respondents, and Monday to Friday as supported by the majority of respondents.
8. Ward councillors from Goose Green ward presented feedback, after a well attended Dulwich Community Council meeting in April 2019, for the zone to operate for two hours.
9. Due to the small size of the proposed reduced East Dulwich zone, officers proposed a joint zone with Peckham West for Mon-Fri operation 9am to 11am as part of recommendations for individual decision making dated 23 July 2019.
10. The Cabinet Member for Environment, Transport and the Climate Emergency considered these recommendations and decided in regards to the Peckham West area, on 7 August 2019:
  - i. The implementation of a new separate parking zone in the Peckham West area, operating Monday to Friday, 9am to 11am, subject to the outcome of any necessary statutory procedures;
  - ii. That the decisions relating to further minor amendments to detailed engineering design be delegated to officers.

11. The decision to introduce a new parking zone in the area was therefore made following public and ward member consultation. Full details of that study can be found within the background documents.
12. In accordance with legislation<sup>1</sup> the council advertised its intention to make traffic orders in respect of the introduction of the new parking zone, on 19 September 2019.
13. The statutory consultation period ran for 28 days until 17 October 2019.
14. Notice was given in the London Gazette<sup>2</sup>, local press (Southwark News) and street notices were placed in the affected area.
15. Notice was given to the following statutory consultees: London Ambulance Service, London Fire Brigade, Metropolitan Police Service, TfL Buses, Freight Transport Association, and the Road Haulage Association.
16. Notice was also given to non-statutory consultees including: Local councillors, Transport for London, Southwark Disablement Association, Southwark Disability Forum, Southwark Cyclists, Living Streets and London Travel Watch.
17. 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**

18. Parking pressure in the area is caused by potential displacement from adjacent parking zones, the proximity to two zone 2 train stations (Peckham Rye and East Dulwich), a number of schools and other destinations such as the Dulwich Leisure centre and Bellenden village.
19. A total of 77 valid representations were received in writing as a result of the statutory consultation.
20. 60 representations were received from within the zone, 15 representations were made from people that did not state where they lived, and two representations from outside the zone, and one from a group.
21. A total of 52 valid objections were received (objected wholly or to part) to the statutory consultation. 38 of the 77 representations stated that they were from the study area and that they objected to the zone, most of these from Oglander Road, Keston Road and Hinkley Road. Excluding these streets would make them open to very high parking pressure as the only remaining roads in the area with unrestricted parking. The grounds for objections are listed in Table 2 and the top three grounds of objection are summarised below.
22. The highest number of valid objections (27) was on the grounds that there were too many unnecessary double yellow lines. These were mainly from Hinkley Road in particular where there was opposition to double yellow lines in the dead end and on junctions as well as other roads where there was opposition to double yellow lines.

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<sup>1</sup> The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996

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

23. The second highest ground for objection (20) was that the hours of operation should be shifted citing reasons such as overnight visitors being inconvenienced and care workers or informal carers being impacted.
24. The third highest ground for objection was that the zone should operate for longer hours citing the proximity of Dulwich Leisure Centre.
25. A total of 22 representations were received in support of the zone (support and wholly support).
26. Comments in regards to the design and locations of feasible design changes are detailed in Appendix 3. Feasible changes include changes which do not further restrict parking such as reduction of double yellow lines, relocation of permit and paid bays, and that meet safety and road traffic and parking design standards.
27. Stop and rest spaces were supported by some residents, with some requests for relocation and were not supported by others who were concerned that they would remove parking spaces or increase antisocial behaviour.
28. A copy of all representations received has been redacted and can be found in Appendix 4. The representations are summarised in Table 1 and the grounds for objection are listed in Table 2.
29. Each piece of written correspondence received during statutory consultation was responded to with an acknowledgement email.

**TABLE 1 – Type of representation by street/business/group**

<b>Street</b>	<b>Wholly support</b>	<b>Support</b>	<b>Neutral</b>	<b>Comment only</b>	<b>Object to part</b>	<b>Object to whole</b>	<b>Total</b>
<b>Adys Road</b>		3				1	<b>4</b>
<b>Amott Road</b>		3	2				<b>5</b>
<b>Choumert Road</b>	1	2			4		<b>7</b>
<b>Copleston Road</b>	2						<b>2</b>
<b>Danby Street</b>		3			2	2	<b>7</b>
<b>Fenwick Grove</b>						1	<b>1</b>
<b>Fenwick Road</b>						1	<b>1</b>
<b>Gowlett Road</b>						2	<b>2</b>
<b>Hinckley Road</b>					6	1	<b>7</b>
<b>Keston Road</b>						7	<b>7</b>
<b>Maxted Road</b>		1					<b>1</b>
<b>Nutbrook Street</b>					1	1	<b>2</b>
<b>Oglander Road</b>				1	5	3	<b>9</b>
<b>Ondine Road</b>						1	<b>1</b>
<b>Reedham Street</b>		1					<b>1</b>
<b>Waghorn Street</b>	1	1					<b>2</b>

Street not stated		4			2	9	15
Out of zone					1	1	2
Group comment						1	1
<b>Total</b>	<b>4</b>	<b>18</b>	<b>2</b>	<b>1</b>	<b>21</b>	<b>31</b>	<b>77</b>

**TABLE 2 – Grounds for objection**

	<b>Grounds for objection</b>	<b>Total</b>	<b>% of all representations</b>
1.	Unnecessary double yellow lines	27	35%
2.	Hours of operation should be shifted	20	26%
3.	Hours of operation should be longer	16	21%
4.	Expense for residents	14	18%
5.	Consultation process unfair	12	16%
6.	Location of paid bays	11	14%
7.	Restricts access for visitors	11	14%
8.	Shouldn't be pay-by-phone only	10	13%
9.	No need for a CPZ	11	14%
10.	Loss of parking spaces	7	9%
11.	Won't deal with night-time parking	7	9%
12.	Negative effect on businesses	7	9%
13.	Location/presence of stop and rest	6	8%
14.	Will stop carers supporting vulnerable	6	8%
15.	Too many car club bays	6	8%
16.	Would support school streets instead	9	12%
17.	Will be ineffective	4	5%
18.	Safety concerns	3	4%
19.	Is a council moneymaking scheme	3	4%
20.	Does not deal with school parking	2	3%
21.	Zone should have been different	2	3%
22.	Need to consider overflow from e.g. leisure centre	2	3%
23.	Admin burden for residents	1	1%
24.	Inaccurate information on maps	1	1%
25.	Need on-street cycle parking	1	1%
26.	Need traffic calming (Amott Road)	1	1%

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

31. Any other comments that were raised during the statutory consultation are detailed in the respondents' correspondence (Appendix 4).

## **Conclusions**

32. During the statutory consultation we received 52 objections (31 whole objects and 21 part objections) to the proposed parking zone.
33. The informal consultation yielded a high (30%) response rate. As there was no clear majority either against or for a zone, officers analysed the level of response taking into account whether those against or undecided would change their mind if an adjacent street had a zone implemented. Incorporating change of mind responses yielded a majority support of 56% for a zone to be implemented in their street for the whole area. These interim recommendations of an all day zone operating Monday to Friday were presented to ward members and discussed at the Dulwich Community Council meeting which was heavily attended) in April 2019. Feedback from Goose Green ward councillors was for a two hour zone.
34. Ward councillor feedback was used to form the subsequent feedback. Due to the small size of the adjacent proposed East Dulwich zone, officers proposed a joint zone with Peckham West for Mon-Fri operation 9am to 11am as part of recommendations for individual decision making dated 23 July 2019.
35. The cabinet member determined to have two separate areas and agreed to introduce the new parking zone in the Peckham West area subject to statutory consultation on 7 August 2019.
36. For the reasons outlined in the officers' responses in Appendix 1, objections relating to design should be upheld where feasible and all other objections should be rejected.

## **Policy implications**

37. The recommendations contained within this report are consistent with the missions of the Movement Plan 2019, particularly:
  - Action 7: Reduce the number of cars owned in the borough
  - Action 8: Use kerbside efficiently and promote less polluting vehicles
  - Action 9: Manage traffic to reduce the demand on our streets
  - Action 12: Movement to, within and from town centres is easy, safe and accessible for all
  - Action 13: Make town centres attractive, thriving and diverse places for people and businesses
  - Action 15: Reduce exposure to air pollution

## **Community impact statement**

38. The policies within the Movement Plan are upheld within this report and have been subject to an Equality Impact Assessment.
39. 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.
40. The implementation of a new parking zone will benefit the local community by

removing commuter parking resulting in an overall increase in the number of parking spaces available to residents, clearer sight lines for pedestrians, particularly vulnerable road users.

41. The implementation of a zone including at any time loading restrictions near schools will benefit the local community by reducing traffic and congestion resulting in improved safety and improved air quality for vulnerable road users.
42. 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.
43. 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**

44. The capital cost of works is approximately £110,000 which includes design and project management costs. This will be funded by revenue funding budgets.
45. There are no resourcing implications associated with the recommendations contained within this report that have not been previously agreed.
46. This report is to determine statutory objections made in relation to a proposed traffic order.

#### **Consultation**

47. Statutory consultation has been carried out as detailed in paragraphs 12 to 17 of this report.

#### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

##### **Strategic Director of Law and Democracy**

48. The Cabinet Member in August 2019 agreed to approve the implementation of the parking zone in the Peckham West area subject to the outcome of a statutory consultation.
49. The results of that consultation are now available. 77 representations were received including 31 objections and 21 part objections. These are summarised in Table 2. The response from officers to these objections is set out in Appendix 1. The Cabinet Member for Environment, Transport and the Climate Emergency is now being asked to consider and determine the objections received in respect of the proposed new parking zone
50. 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.

51. The Equality Act 2010 introduced the public sector equality duty, 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. Whilst the report takes these considerations into account and refers to the benefits of the scheme at paragraphs 38 to 43, improving road safety on the public highway, in particular for vulnerable road users, it is emphasised that it is for the decision maker to be satisfied that the equality duty has been met.
52. Part 3D paragraph 23 of the Southwark Constitution gives the Cabinet Member for Environment, Transport and the Climate Emergency 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.
53. 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 (EL19/057)**

54. This report is requesting the Cabinet Member for Environment, Transport and the Climate Emergency to approve a number of recommendations, (as reflected in paragraph 1)i to 1)ix relating to the statutory consultation on the proposal to introduce a new parking zone (permit parking bays and double yellow lines) in Peckham West area . Background and full details are provided within the main body of the report.
55. Funding of the proposals is reflected in the financial implications section.
56. Staffing and any other costs connected with this recommendations to be contained within existing departmental revenue budgets

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Peckham West report	Southwark Council Transport Projects  Highways  Environment, Transport and the Climate Emergency 160 Tooley Street London SE1 2QH	Joanna Lesak  (020 7525 0127)
Online: <a href="http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?Id=6916">http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?Id=6916</a>		
Movement Plan 2019	Southwark Council Transport Policy 160 Tooley Street London SE1 2QH	Sally Crew
Online: <a href="https://www.southwark.gov.uk/transport-and-roads/transport-policy">https://www.southwark.gov.uk/transport-and-roads/transport-policy</a>		

## APPENDICES

No.	Title
Appendix 1	Responses to objections
Appendix 2	Peckham West "PW" parking zone design (as advertised)
Appendix 3	Suggested amendments to "PW" zone design Nov 2019
Appendix 4	Objections (redacted) PW

## AUDIT TRAIL

<b>Lead Officer</b>	Head of Highways (acting) – Dale Foden	
<b>Report Author</b>	Project Manager – Joanna Lesak	
<b>Version</b>	Final	
<b>Dated</b>	07/11/2019	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Strategic Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Date final report sent to Constitutional Team/Community Council/Scrutiny Team</b>		21/11/2019