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| Item No. N/a | Classification: Open | Date: 13 December 2019 | Meeting Name: Cabinet Member for Environment, Transport and the Climate Emergency |
| Report title: | | Determination of Objections - East Dulwich CPZ | |
| Ward(s) or groups affected: | | Goose Green ward | |
| From: | | 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 168 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 double yellow lines loading restrictions) in the East Dulwich 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 East Dulwich area operating from Monday to Friday between 8.30am and 6.30pm as per the in principle approval of 7 August 2019, with estimated cost of £100,000 comprising of £75,000 for implementation works and £25,000 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 East Dulwich parking consultation.
3. The representations were received as a result of the statutory consultation procedure concerning the introduction of a new parking zone in the East Dulwich area.
4. A total of 168 valid representations were received by email, post 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 initially consulted on a large area in East Dulwich including Barry Road and consultation results revealed 69% of respondents within the the whole area were against a parking zone in their streets.
7. Officers presented an interim report for community discussion proposing a zone comprised of streets close to East Dulwich station including the whole of Melbourne Grove and its side streets towards Lordship Lane where overall support was 54% and for all day operation as supported by the highest number of respondents.
8. Ward councillors presented feedback, after well attended community council meetings held in April 2019, for a further reduced zone.
9. Analysis of the responses in the further reduced zone showed 62% majority support from respondents in the area for a parking zone in their street with Melbourne Grove results adjusted to reflect the section north of East Dulwich Grove. Due to the small size of the further reduced zone, officers proposed a joined 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 the recommendation for joined East Dulwich and Peckham West zone operating for two hours in the context of support from a ward councillor for an all-day zone and in consideration of the hospital and schools in the area, and decided in regards to the East Dulwich area, on 7 August 2019:
 - i. The implementation of a new parking zone in the East Dulwich area, operating Monday to Friday, 8.30am to 6.30pm, 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 made following public and ward member consultation. Full details of that study can be found within the background documents.
12. In accordance with legislation¹ 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 Gazette², 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: 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 the inclusion in the area of a Zone 2 train station (East Dulwich), proximity to Zone 2 train station (North Dulwich), a number of schools and other destinations and workplaces such as services and shops. Dulwich community hospital is also in construction and thought to be a source of future parking stress.
19. A total of 168 pieces of valid representations were received in writing as a result of the statutory consultation. Seven objections stated that if a zone was to go ahead it should be 2 hours but did not provide any grounds for objection, and therefore these representations were reclassified as comments. There were two duplicates which were excluded from analysis. Four representations stated an objection however did not provide grounds for the objection and were excluded from analysis.
20. 118 representations were received from residents, 39 from within the zone, 17 from streets outside of the zone and the remaining representations not stating their street.
21. A total of 121 valid objections were received (objected wholly or to part) as identified in Table 1. Only a small proportion of total objections (14 objections to part or whole) were received from streets within the area recommended for the zone. 40 objections were received from businesses and 30 objections from residents that did not state where they lived. The grounds for objections are listed in Table 2 and the top three grounds of objection are summarised below. It

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

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

should be noted when referring to table 2 that many objections included more than one ground of objection.

22. The highest number of valid objections (48) was on the grounds that an all-day zone was too restrictive for visitors to the high street or for residents and that a two hour zone should be implemented instead. Most of these objections were in regards to the high street from businesses and the East Dulwich Independent Business Association (EDIBA). Objections from residents were mostly from Elsie Road in the zone (seven objections) and Chesterfield Grove and Melbourne Grove immediately adjacent to the zone, most of whom wished to be included in an extension of the zone (12 objections).
23. The second highest ground for objection (42, most of whom were visitors or stakeholder group), was that the zone would have a detrimental effect on the high street citing reasons such as restricted parking for visitors, charges for parking in permit and paid bays, and stop and shop bays, displacement of parking to the east of Lordship Lane and subsequent loss of free parking there, and a lack of modal shift from car to walking, cycling and public transport. Most of these objections were in regards to the high street from businesses and the East Dulwich Independent Business Association (EDIBA).
24. The third highest ground for objection was that the zone would cause displacement of parking and a spread of subsequent parking restrictions.
25. Ten objections were made from residents on Elsie Road on the grounds of an all-day restriction being too punitive, the addition of double yellow lines at dropped kerbs rather than single yellow lines and there not being enough space in the road for parking. Efforts were made before the statutory consultation to engage with residents and reduce the double yellow lines at kerbs to only one metre either side of the dropped kerb to increase the amount of space for parking, and that reasons were provided at the time as to why double yellow lines at dropped kerbs are employed by the council as well as the example of neighbouring Grove Park where despite similar issues and concerns raised the parking zone (Q) has had a positive effect of increasing parking spaces.
26. A total of 45 representations were received in support of the zone (support and wholly support). Requests were made in a number of representations from stakeholders such as Clean Air Dulwich, Vale residents association and Safer Routes to School for the zone hours of operation to be shifted from 8.30am to 6.30pm to 8.00am to 6.00pm.
27. Comments in regards to the design are summarised in Appendix 3 and locations of feasible design changes shown in diagrams. 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.
28. Stop and rest spaces were supported by some residents in Tell Grove while not supported by others, Derwent Grove residents objected to the proposed stop and rest spaces in the street which were proposed following feedback to the initial consultation.
29. In regards to comments on operation time, five representations from streets by schools and from stakeholder groups (Vale Residents Association, Clean Air for

Dulwich, and Safer Streets for schools) requested that the all-day zone to operate earlier from 8.00am to 6.00pm to prevent parking at schools. Fourteen representations expressed a preference for a two hour zone.

30. A copy of all representations received has been redacted and can be found in Appendix 1. The representations are summarised in Table 1 and the grounds for objection are listed in Table 2.
31. 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

| Street | Support wholly | Support | Neutral | Object to part | Object wholly | Total |
|------------------------|----------------|-----------|----------|----------------|---------------|------------|
| Delft Way | | | | 1 | | 1 |
| Derwent Grove | | 1 | | 1 | 2 | 4 |
| Elsie Road | | 1 | | 10 | | 11 |
| Glengarry Rd | | | | 2 | 3 | 5 |
| Isel Way | | | 1 | | | 1 |
| Matham Grove | | 1 | | | 1 | 2 |
| Melbourne Grove | | | | 1 | | 1 |
| Melbourne Grove South | | 1 | | | 1 | 2 |
| Tell Grove | | 4 | | 2 | | 6 |
| Tintagel Cresc | | | | 1 | | 1 |
| Townley Road (Alleyns) | | | | | 1 | 1 |
| Trossachs Road | | | | | 1 | 1 |
| Velde Way | | | 1 | | 1 | 2 |
| Zenoria Street | 1 | | | | | 1 |
| Street not stated | 24 | 2 | | 5 | 30 | 62 |
| Out of zone | | | | | | |
| Blackwater Street | | | | | 1 | 1 |
| Chesterfield Grove | 1 | 3 | | 7 | 4 | 15 |
| Nutfield Street | | 1 | | | | 1 |
| Spurling Road | | 1 | | | | 1 |
| Visitor (carer) | | | | | 1 | 1 |
| Group/stakeholder | 2 | 2 | | 1 | 4 | 8 |
| Business | | | | | 40 | 40 |
| Total | 28 | 17 | 2 | 31 | 90 | 168 |

TABLE 2 – Grounds for objection

| Ref | Grounds for objection | Total | % of all objections |
|-----|---|-------|---------------------|
| 1. | All day zone is too restrictive for residents and businesses - should be 2 hours | 48 | 40% |
| 2. | Negative impact on high street shops and services | 42 | 35% |
| 3. | Displacement on neighbouring roads (impact on families and carers/disabled residents)/zone should include Chesterfield Grove/the whole of Melbourne Grove | 20 | 17% |
| 4. | Implemented against wishes of majority (69% of respondents to the consultation rejected the scheme) | 16 | 14% |
| 5. | Against double yellow lines in front of kerbs at drives- Elsie Rd | 12 | 10% |
| 6. | No problem with parking | 9 | 7% |
| 7. | Insufficient parking space in Elsie Rd, (due to too many residencies, and if residents buy more than one permit) | 8 | 7% |
| 8. | Cost of resident permit | 7 | 6% |
| 9. | Money making scheme | 7 | 6% |
| 10. | CPZ will be extended eventually due to displacement | 6 | 5% |
| 11. | Negative impact on staff wanting to park by their place of work | 5 | 4% |
| 12. | Insufficient parking spaces for high street visitors due to displacement into unrestricted areas | 5 | 4% |
| 13. | Objection to design - proposed stop and rest Derwent Grove | 4 | 4% |
| 14. | Problem not caused by commuters - zone will not be effective | 3 | 3% |
| 15. | Will increase parking in housing estate - estate should have permit parking at same time | 3 | 3% |
| 16. | Cost of business permit | 3 | 3% |
| 17. | Will not improve air quality -Idling of school children drop off as parents/carers not able to park; people will drive around the area looking for parking spaces | 4 | 3% |
| 18. | Objection to design in Tell Grove (stop and rest) | 2 | 4% |
| 19. | Objection to design in Tell Grove (DYL on bend) | 2 | |
| 20. | Penalised at school holiday times when parking not an issue | 2 | 2% |
| 21. | 6 day week not supported | 2 | 2% |
| 22. | Parking problems caused by DYL junction protection | 1 | 1% |
| 23. | There is a problem with parking but a parking zone will not solve it | 1 | 1% |
| 24. | Negative impact on deliveries | 1 | 1% |
| 25. | Cost of stop and shop bays for visitors | 1 | 1% |
| 26. | High street visitors will reduce - visitors won't shift from cars to walking / cycling or to public transport due to poor east-west links | 2 | 2% |
| 27. | Will restrict parking | 1 | 1% |
| 28. | Tradespeople needing to park long hours | 1 | 1% |
| 29. | Change to 08.00-6.00/5 to prevent school drop off parking | 2 | 2% |

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|-----|---|---|----|
| 30. | Will make it difficult to care/deliver food for disabled families and for repairs | 1 | 1% |
| 31. | Controlled parking in Blackwater Street is not necessary. | 1 | 1% |
| 32. | Does not comply with s. 122(2)(b) Road Traffic Regulation Act 1984 Act in regards 'to the effect on the amenities of any locality affected' | 1 | 1% |
| 33. | Should wait until ULEZ (will reduce amount of vehicles) | 1 | 1% |
| 34. | Design: motorbike parking will be used by Pizza Gogos 8 x scooters- should move closer to Pizza Gogo | 1 | 1% |

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

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

Conclusions

34. During the statutory consultation we received 121 objections (90 whole objects and 31 part objections) to the proposed parking zone.

35. The informal consultation yielded a high (37%) response rate. As the majority in the area (69%) did not want a parking zone in their street a smaller area was recommended to reflect a group of streets where there was majority support and to reflect the highest level of support – Monday to Friday all day operation from 8.30am to 6.30pm. These interim recommendations were presented to ward members and discussed at the Dulwich Community Council meeting in April 2019. Feedback from ward councillors was for exclusion of some streets to form a smaller zone.

36. Ward councillor feedback was used to form the subsequent feedback. Due to the small size of the 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.

37. The cabinet member agreed to introduce the new parking zone in the East Dulwich area subject to statutory consultation on 7 August 2019.

38. 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

39. 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

40. The policies within the Movement Plan are upheld within this report and have been subject to an Equality Impact Assessment.
41. 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.
42. 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.
43. 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.
44. 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.
45. 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

46. The capital cost of works is approximately £100,000 which includes design and project management costs. This expenditure will be funded by revenue funding.
47. There are no resource implications associated with the recommendations contained within this report that have not been previously agreed.
48. This report is to determine statutory objections made in relation to a proposed traffic order.

Consultation

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

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

50. The Cabinet Member in August agreed to approve the implementation of the parking zone in the East Dulwich area subject to the outcome of a statutory consultation.
51. The results of that consultation are now available. 168 representations were received including 121 objections (90 whole objects and 31 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
52. 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.
53. 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 40 to 45, 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.
54. 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.
55. 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 (EL19/056)

56. 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 East Dulwich area. Background and full details are provided within the main

body of the report.

57. Funding of the proposals is reflected in the financial implications section.
58. Staffing and any other costs connected with this recommendations to be contained within existing departmental revenue budgets

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|---|---|-------------------------------------|
| East Dulwich final consultation report | Southwark Council, Transport Projects, Highways Environment, Transport and the Climate Emergency 160 Tooley Street London SE1 2QH | Joanna Lesak (020 7525 0127) |
| Online: https://consultations.southwark.gov.uk/environment-leisure/eastdulwichparking/ | | |
| Movement Plan 2019 | Southwark Council Transport Policy 160 Tooley Street London SE1 2QH | Sally Crew |
| Online: https://www.southwark.gov.uk/transport-and-roads/transport-policy | | |
| Insight into how Lordship Lane is used and viewed by residents and visitors- baseline report (March 2019) | Southwark Council Highways Division 160 Tooley Street London SE1 2QH | |
| www.southwark.gov.uk/eastdulwichparking | | |
| Southwark high streets: Lordship Lane (2015) | Southwark Council 160 Tooley Street London SE1 2QH | |
| https://www.southwark.gov.uk/assets/attach/3768/LSBU-High-Street-Report-Lordship-Lane-High-Street.pdf | | |

APPENDICES

| No. | Title |
|------------|--|
| Appendix 1 | Responses to objections ED |
| Appendix 2 | East Dulwich "ED" parking zone design (as advertised) |
| Appendix 3 | Suggested amendments to "ED" parking zone detailed design Nov 19 |
| Appendix 4 | Objections (redacted) ED |

AUDIT TRAIL

| | | |
|--|--|--------------------------|
| Lead Officer | Head of Highways (acting) – Dale Foden | |
| Report Author | Project Manager – Joanna Lesak | |
| Version | Final | |
| Dated | 19/11/2019 | |
| Key Decision? | No | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | |
| Officer Title | Comments Sought | Comments Included |
| Strategic Director of Law and Democracy | Yes | Yes |
| Strategic Director of Finance and Governance | Yes | Yes |
| Date final report sent to Constitutional Team/Community Council/Scrutiny Team | | 21 November 2019 |