

Item No.	Classification: Open	Date: 7 January 2020	Meeting Name: Cabinet Member for Environment, Transport and the Climate Emergency
Report title:		CPZ 'HH' Extension – Croxted Road	
Ward(s) or groups affected:		Dulwich Village	
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 44 representations as summarised in Table 1 received during statutory consultation relating to the proposal to extend CPZ 'HH' south on Croxted Road to Turney Road. It should be noted that some representations provided more than one reason for objection.
 - ii. Consider and determine each objection and comment as per the table prepared by officers in Appendix 1.
 - iii. Instruct officers to write to each person who made representations to inform them of the council's decision.
 - iv. Instruct officers to proceed with installation of a parking zone on the section of Croxted Road between the railway bridge and Turney Road.
 - v. Instruct officers to make the necessary Traffic Management Order.

BACKGROUND INFORMATION

2. This report makes recommendations for the determination of a number of objections that relate to traffic orders published proposing new parking restrictions on Croxted Road.
3. A total of 44 representations were received by online form and email during the statutory consultation period (3–24 October 2019), as shown in Tables 1 and 2. The grounds for representation included across this correspondence are summarised in Table 3. Of the 44 representations, 16 were classed as objections and 26 were classed as supportive of the proposals and 2 were comments or questions.
4. 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 and the Climate Emergency.

5. This statutory consultation was undertaken in response to a petition from residents on Croxted Road for a consultation on the implementation of parking restrictions on the section of Croxted Road between the railway bridge and Turney Road. Details of the petition can be found here - <https://www.change.org/p/lambeth-southwark-council-to-introduce-a-12-2pm-controlled-parking-zone-to-croxted-road-from-garage-to-turney-junct>
6. The Cabinet Member was briefed on 24 January 2019 on the intention to proceed straight to statutory consultation because of the established support for the proposals on Croxted Road.
7. Ward members were informed throughout the process and sent all consultation documentation before it was made public.
8. In accordance with legislation¹ the council advertised its intention to make traffic orders in respect of the introduction of the new parking zone on 3 October 2019. A letter was also posted through every door on Croxted Road from the Turney Road junction to the Norwood Road junction (Appendix 2).
9. The consultation period ran for 21 days from 3– 24 October 2019.
10. Notice was given in the London Gazette², local press (Southwark News) and street notices were placed in the affected area.
11. 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.
12. 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.
13. 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.
14. This consultation was undertaken in conjunction with the London Borough of Lambeth who are proposing to extend their existing CPZ 'H' along the Lambeth side of Croxted Road.
15. Ward members were notified of the results of this consultation on 21 November 2019 and no comments have been received.

KEY ISSUES FOR CONSIDERATION

16. A total of 44 pieces of correspondence were received as a result of the statutory consultation.
17. 26 were in favour of the extension of CPZ 'HH', 16 were against and 2 had comments.
18. Each piece of correspondence received during statutory consultation was

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

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

responded to with an acknowledgement email/letter.

19. It should be noted that some responses contained more than one grounds for objection.

TABLE ONE – Representation by street/property

Road	Count
Croxted Road	25
Turney Road	8
Not Answered	7
Dalkeith Road	3
Lovelace Road	1
Total	44

TABLE TWO – Responses by street/property

Response	Croxted Road	Dalkeith Road	Lovelace Road	Not Stated	Turney Road	Grand Total
Support	22			4		26
Object	3	3		3	7	16
Comment			1		1	2
Grand Total	25	3	1	7	8	44

TABLE THREE – Responses per borough

Southwark or Lambeth	Count
Southwark	30
Undisclosed	10
Lambeth	4
Grand Total	44

TABLE FOUR – Grounds for representation

Ref.	Comment/Reason for objection	Count
1	Petition for CPZ	17
2	Parking is very difficult	16
3	Will cause a parking problem on Turney Road/displacement	11
4	We need to consider a CPZ for the whole area	10
5	Displacement from other CPZs causes a problem on Croxted Road	2
6	Don't want to pay for a permit	2
7	Create more space for parking	1
8	CPZs benefits the environment	1
9	Residents on Turney Road have driveways and thus cannot object	1
10	Abandoned vehicles cause parking problem	1
11	There are too many driveways on Turney Road	1
12	Choice and freedom of parking will be limited	1

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

21. Any other comments that were raised during the statutory consultation are

detailed in the respondent's correspondence (Appendix 3).

Conclusions

22. This parking zone extension has received overall support with the majority of those who responded to the statutory consultation in support of the proposals. We also received a petition for the zone which contained many duplicates. The most popular comment was that Croxted Road has a parking problem.
23. Several respondents objected to the proposals on the grounds that it will cause parking problems on Turney Road. Parking problems caused by the introduction of a controlled parking zone cannot be entirely pre-empted. A review of Zone 'HH' will take place six months after the implementation of the extension. In addition, the surrounding area may submit requests for additional parking restrictions by contacting the Highways Division. Requests are added to our mapping system and the parking programme is agreed by the Cabinet Member each year.
24. Officer's response to the objections received can be found in Appendix 1.
25. The findings from the statutory consultation were sent to Ward Members prior to the submission of this report.
26. It is recommended that the Cabinet Member considers and determines each objection and comment and agrees the implementation CPZ extension.

Policy implications

27. The recommendations contained within this report are consistent with the missions of the Movement Plan 2019, particularly:
 - M2 Action 2 – Create simple and clear streets
 - M3 Action 4 – Deliver infrastructure to support active travel
 - M4 Action 7 – Reduce the number of cars owned in the borough
 - M4 Action 8 – Use kerbside efficiently and promote less polluting vehicles
 - M4 Action 9 – Manage traffic to reduce the demand on our streets
 - M7 Action 15 – Reduced exposure to air pollution
 - M7 Action 16 – Zero people killed or injured on our streets by 2041

Community impact statement

28. The missions within the Movement Plan have been upheld in this report.
29. 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.
30. The implementation of a parking zone extension 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.
31. There is a risk that the new parking restrictions 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.

32. 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

33. It is expected that the implementation of this CPZ extension will cost £20,000.

Consultation

34. Statutory consultation has been carried out as detailed in paragraphs 5-15 of this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Law and Democracy

35. The Cabinet Member for Environment, Transport and the Climate Emergency is being asked to consider the representations received in response to the proposed extension to the CPZ “HH” south on a section of Croxted Road to Turney Road during the statutory consultation period and in particular to determine each of the valid 16 objections and the officers responses to the grounds of those objections in Appendix 1 of this report. The Member is also asked to instruct officers to make the traffic management order and implement the parking zone in Croxted Road.
36. The report summarises the representations in Table One and Table Two and the grounds of the objections received in Table Four and sets out details of the statutory consultation process which took place.
37. 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 those applicable protected characteristics and refers to the benefits of the proposal at paragraph 30 (Blue Badge holders will be able to apply for a disabled parking bay) to paragraph 32, it is emphasised that it is for the decision maker to be satisfied that the equality duty has been met.
38. The Human Rights Act 1998 imposed a duty on the Council as a public authority to apply the European Convention on Human Rights; as a result the Council must not act in a way which is incompatible with these rights. The most important rights for highway and planning purposes are Article 8 (respect for homes); Article 6 (natural justice) and Article 1 of the First Protocol (peaceful enjoyment of property). The implementation of a parking zone is not anticipated to breach

the provisions of the Human Rights Act 1998.

39. The Health and Social Care Act 2012 imposed a duty on local authorities to take such steps as it considers appropriate for improving the health of the people in its area including providing services or facilities designed to promote healthy living (whether by helping individuals to address behaviour that is detrimental to health or in any other way). The report states that the proposed parking zone supports the Council's health policies by removing commuter traffic and displaced parking, increasing the number of parking spaces particular for residents who have Blue Badges.
40. The Member must fully consider the grounds of the objections taking account of the officers responses to the objections in Appendix 1 and having regard to the legal principles of fairness and all material considerations, ignoring immaterial considerations.
41. The Council's Constitution gives the Cabinet Member for Environment, Transport and the Climate Emergency the responsibility for (amongst other things) road traffic management and road safety. Part 3D of the constitution provides that the responsibility for implementing a new traffic improvement project falls to the individual Cabinet Member and it is therefore appropriate for the Cabinet Member for Environment, Transport and the Climate Emergency to determine the recommendations set out in paragraph **Error! Reference source not found.** above.

Strategic Director of Finance and Governance

42. The report is requesting the Cabinet Member for Environment, Transport and the Climate Emergency approve a number of recommendations detailed in paragraph 1 pertaining to the proposal to extend CPZ 'HH' south on Croxted Road to Turney Road.
43. The strategic director of finance and governance notes the funding for the proposal is expected to be met from existing revenue resources via the Parking Design budget financed by the Parking Service.
44. Staffing and any other costs connected with these recommendations to be contained within existing departmental revenue and capital budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Movement Plan 2019	Southwark Council Environment and Leisure Highways Transport Projects 160 Tooley Street London SE1 2QH Online: https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/transport-policy	Joanna Redshaw 020 7525 2665

APPENDICES

No.	Title
Appendix 1	Summary of objections received and officers response
Appendix 2	Consultation Letter
Appendix 3	Objections (redacted)

AUDIT TRAIL

Lead Officer	Dale Foden, Head of Highways	
Report Author	Joanna Redshaw, Project Manager	
Version	Final	
Dated	7 January 2020	
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		7 January 2020