

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 10 December 2020	<b>Decision Maker Name:</b> Cabinet Member for Housing
<b>Report title:</b>		Introduction of an estate Parking scheme to North Peckham and Commercial Way (North)	
<b>Ward(s) or groups affected:</b>		Peckham Ward	
<b>From:</b>		Strategic Director of Housing and Modernisation	

## RECOMMENDATION

1. It is recommended that the following local traffic and parking amendments, are approved for implementation by the Cabinet Member for Housing subject to the outcome of any necessary statutory procedures:
  - To implement estate parking scheme to the North Peckham and Commercial Way (North) Estate. The scheme is to cover the estate from 7am -7pm, 7 days a week, with enforcement not being suspended over the weekend.
  - 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 April 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 South Area Housing Team has received numerous complaints about the parking problems faced by the residents of North Peckham and Commercial Way (North) Estate. A number of residents explained that it was difficult for them to park their vehicles in the estate during weekdays

and weekends.

6. The residents believe parking spaces are used by commuters parking their vehicles daily and commuting to work thereby using the very limited car park spaces and leaving no spaces for Southwark residents. This has also led to verbal disputes between residents in the estate.
7. There are also some residents with several vehicles both for personal and commercial use. A few households are potentially holding several parking bays simultaneously. Therefore, only one permanent parking permit per household will be granted or permitted.
8. Access for emergency vehicles is also blocked off by unauthorised parking in these areas outside of the blocks. This issue is particularly relevant for Thames Court.
9. The Council recognises the adverse impact cars have on the environment and the air quality in the borough. Therefore, the leadership is actively discouraging car use to and from stations and this proposal supports the council's efforts to protect the environment.
10. Given all the above mentioned reasons, the residents identified a need for controlled parking within the estate and through their ward councillors; they requested Resident Services to consult through a ballot.
11. The consultation was carried out between 30th January 2020 and 14th February 2020. Residents were asked if they would like the introduction of a parking scheme on their estate and to respond by indicating (Yes or No). The Area Office sent out 649 ballots and received a total of 164 ballots back. Out of the 164 respondents, 99 households voted in favour and 63 households voted against the scheme and 2 undecided.
12. Of the 164 respondents who voted, 48 voted against the weekend suspension of the parking scheme and 50 voted in favour of a weekend suspension of the parking scheme and 1 no preference.
13. It is therefore recommended that a parking permit scheme is introduced on the estate to provide parking facilities to assist residents of the estate, in favour of weekend suspension. This recommendation is supported by local councillors.
14. Having a parking scheme on the estate will ensure that only residents and their visitors are entitled to the parking spaces available.
15. The most recent ballot results highlighted in this report, again reflects the support of a parking scheme being implemented. However, this ballot has had a higher turnout with 99 out of 164 residents responding.

## **Community Impact Assessment**

16. The recommendations are area based and therefore will have the greatest affect upon non-residents and non-visitors of those areas where the proposals are made.
17. 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.
18. 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.
19. The recommendations support the Council's equalities and human rights policies and promote social inclusion by:
  - Providing and improving access for key services such as emergency and refuse vehicles.
  - Improving road safety in key areas; vulnerable residents on the service road users on the estate.

## **Equalities Impact Assessment Statement**

20. 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 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**

21. All costs arising from implementing the recommendations will be fully contained within the existing Resident Services budgets.

## **Legal Implications**

22. Traffic Management Orders would be made under powers contained within the Road Traffic Regulation Act (RTRA) 1984.
23. 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.

24. 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.
25. 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.
26. 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.
27. 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**

28. The Area Office undertook a ballot through questionnaires. No formal public consultation has been carried out.
29. 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.
30. 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.
31. The notice and any associated documents and plans will also be made available for inspection on the Council's website or by appointment at it is 160 Tooley Street office.
32. Any person wishing to comment upon or object to the proposed order will have 21 days in which do so.
33. 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**

34. 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.
35. This report seeks approval for the implementation of controlled parking in North Peckham and Commercial Way (North) Estate. The report recommends the establishment of controlled parking in the area.
36. The report refers to the consultation requirements prescribed by regulation that must be followed before implementation of the proposed parking scheme.
37. 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.
38. 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.
39. 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.
40. 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

41. 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 Documents	Held At	Contact
N/a		

### APPENDICES

No	Title
N/a	

### AUDIT TRAIL

<b>Lead Officer</b>	Paul Langford, Director Resident Services	
<b>Report Author</b>	Ramatu Mansaray, Resident Service Manager	
<b>Version</b>	Final	
<b>Dated</b>	9 December 2020	
<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>
Strategic Director of Finance and Governance	Yes	Yes
Director of Law and Democracy	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		9 December 2020