



## HIGHWAYS ADVISORY COMMITTEE

4 April 2017

**Subject Heading:**

**Leather Lane TPC832 – responses to advertised proposals**

**CMT Lead:**

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**Report Author and contact details:**

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**Policy context:**

**Traffic & Parking Control**

**Financial summary:**

**The estimated cost of implementation is £1,800 and will be met by the 2017/18 Budget for Minor Traffic and Parking.**

**The subject matter of this report deals with the following Council Objectives**

Havering will be clean and its environment will be cared for	[x]
People will be safe, in their homes and in the community	[x]
Residents will be proud to live in Havering	[x]

### SUMMARY

This report outlines the comments received to the statutory consultation for the proposed parking scheme for Leather Lane and recommends a further course of action.

## Ward

St Andrews Ward

### RECOMMENDATIONS

1. That the Highways Advisory Committee having considered this report and the representations made recommends to the Cabinet Member for Environment Regulatory Services and Community Safety that:
  - a) The proposed Free Parking bays and the Waiting and Loading restrictions, as shown on the plan appended to this report in Appendix A, be implemented as advertised;
  - b) That the effects of any implemented proposals be monitored.
2. That it be noted that the estimated cost of this scheme is £1,800 which will be funded from the 2017/18 budget for Minor Traffic and Parking.

### REPORT DETAIL

#### 1.0 Background

- 1.1 Following a corporate complaint from a shop keeper of a premises in North Street, which backs on to Leather Lane, outlining that that the fire access to the back of the property was being blocked and refuse lorries were unable to get to and empty the trade waste bins, a proposals to review the parking in Leather Lane was agreed in principle by the Highways Advisory Committee at its meeting on 28<sup>th</sup> February 2017.
- 1.2 Staff subsequently met with a representative of Iceland to find out how their operation worked and the difficulties they were experiencing in having their waste being removed. The Councils' Enforcement Officers had already taken action in respect of non-collection of Trade Waste and it was reported other businesses had had waste collection contractors cancel their contracts, as they could not gain access. The council had also received a complaint about parking in Leather Lane preventing fire access doors being opened.
- 1.3 Proposals were drafted and were publicly advertised on 9<sup>th</sup> December 2016, with a closing date for comment of 30<sup>th</sup> December 2016. 39 residents and businesses that were perceived to be affected by the proposals were

advised of them by letter and plan. Eighteen statutory bodies were also consulted and site notices were placed at the location.

## **2.0 Results of statutory consultation**

2.1 Within the consultation period one response was received from Hornchurch Baptist Church, who outlined that implementation of the proposals would present the following difficulties:-

- There are a number of elderly and or disabled who are dropped off outside the door to the church and it is felt that double yellow lines will not allow this practice to continue;
- Not all the members are blue badge holders and they rely on other members to bring them to church;
- The main church service takes place on Sunday mornings but there are other meetings that the disabled attend during the day and evenings;
- The church holds weddings and funerals and it is feared that cars related to these, will not be able to stop outside the church;
- The church's only parking provision is in the Iceland car park, which can only be used when the store is not trading, that is after 8pm Monday to Saturday and after 4 pm on Sundays. It is suggested that some of the congregation would not be able to walk the distance to the church;
- Some of the regular events involve catering and there are concerns over vehicles related to maintenance loading and unloading;
- It is understood the desired access to Iceland can cause congestion, however the church needs access for the elderly, disabled and frail and it is for this reason that the church requests 3, free of charge parking spaces directly outside the church to overcome any of the aforementioned problems;
- It is the churches desire to continue to provide services to their members and the people of havering and it is felt that without the access to the parking and drop off facilities they will not be able to do this for the more vulnerable attendees.

Further to the Baptist Churches first response, on 28<sup>th</sup> February 2017 The Leader of the Council was presented with a petition, signed by 74 attendees of the church, who outlined their concerns about the planned lack of parking outside the church on Sunday mornings between 10.00am and 1.00pm. The petition outlines that the proposals favour the commercial aspects of Hornchurch life at the expense of the faith community and their disabled or less abled members.

## **3.0 Staff comments**

3.1 These proposals were designed following complaints from shop keepers who's properties backed on to Leather Lane and who could not get their trade waste collected, due to the manner in which vehicles are being parked, which, also obstructs businesses fire access. Parking on Sundays

- in Leather Lane is also becoming increasingly difficult due to the level of parking in the section of road fronting the church entrance. Officers have also had undertaken enforcement action for non-collection of trade waste.
- 3.2 Following the receipt of the written representations from the church, a member of staff and a Ward Councillor met with representatives of the church to go over the points raised in their letter, explain the proposals and inform them what they could still do in respect of drop off and pick up and servicing the building.
  - 3.3 The Baptist Church is located above Iceland and between the Sainsburys car park and Fentiman Way car park and is considered to be one of the churches in the borough with the most public parking spaces within a two to three minute walk.
  - 3.4 The proposals, on the church side of the road, fronting the church, will still enable attendees of the church to be dropped off and collected; for loading and unloading to take place and for Blue badge holders to park for up to three hours. Further to this, this area will enable Iceland to continue to unload as they do now.
  - 3.5 It would not be possible to provide the 3 free parking bays as requested by the church, as this would impact on loading arrangements for Iceland and would set a precedent for other churches to request the same provision.
  - 3.6 It is felt that these proposals should be implemented as advertised to ensure that the free flow of traffic can be maintained at all times in Leather Lane, which includes access for Service and Emergency Service vehicles, which cannot be maintained if parking takes place on both sides of the road.
  - 3.7 The marked parking bays will rationalise parking further into the road and help keep the fire doors to premises clear

## IMPLICATIONS AND RISKS

### **Financial implications and risks:**

This report is asking the Highways Advisory Committee to recommend to the Cabinet Member the implementation of the proposed Free Parking bays and the Waiting and Loading restrictions.

The estimated cost of implementing the proposals, including physical measures, advertising and making the Traffic Management Orders costs is £1,800. These costs will be funded from the 2017/18 budget for Minor Traffic and Parking.

The costs shown are an estimate of the full costs of the scheme, should it be implemented. A final decision would be made by the Lead Member – as regards to actual implementation and scheme detail. Therefore, final costs are subject to change.

This is a typical project for Street management and there is no expectation that the works cannot be contained within the cost estimate. There is an element of contingency built into the financial estimate. In the unlikely event of an overspend, the balance would need to be contained within the Street management overall Minor Parking Schemes revenue budget.

## **Legal implications and risks:**

The Council's power to make an order regulating or controlling vehicular traffic on roads is set out in Part I of the Road Traffic Regulation Act 1984 ("RTRA 1984").

The Council's power to make an order for the provision of parking places on a road is set out in Part IV of the RTRA 1984.

Before an Order is made, the Council should ensure that the statutory procedures set out in Schedule 9, Part III of the RTRA 1984 and the Local Authorities Traffic Orders (Procedure)(England & Wales) Regulations 1996 (SI 1996/2489) are complied with. The Traffic Signs Regulations and General Directions 2002 as amended by the Traffic Signs Regulations and General Directions 2016 govern road traffic signs and road markings.

Section 122 RTRA 1984 imposes a general duty on local authorities when exercising functions under the RTRA. It provides, insofar as is material, 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. This statutory duty must be balanced with any concerns received over the implementation of the proposals.

In considering any responses received during consultation, the Council must ensure that full consideration of all representations is given including those which do not accord with the officers' recommendation. The Council must be satisfied that any objections to the proposals were taken into account.

In considering any consultation responses, the Council must balance the concerns of any objectors with the statutory duty under section 122 RTRA 1984.

## **Human Resources implications and risks**

It is anticipated that the enforcement activities required for these proposals can be met from within current staff resources

## **Equalities implications and risks**

Parking restrictions have the potential to displace parking to adjacent areas, which may be detrimental to others. However, the Council has a general duty under the Equality Act 2010 to ensure that its highway network is accessible to all. Where infrastructure is provided or substantially upgraded, reasonable adjustments should be made to improve access. In considering the impacts and making improvements for people with protected characteristics (mainly, but not limited to disabled people, children, young people and older people), this will assist the Council in meeting its duty under the act.

There will be some physical and visual impact from the required signing and lining works.

**BACKGROUND PAPERS**

