



Notice of Non-key Executive Decision

Subject Heading:	TPC478 Sunflower Way Review – proposals to implement scheme
Ward:	Harold Wood
Cabinet Member:	Cllr Osman Dervish
SLT Lead:	Dipti Patel
Report Author and contact details:	John-Paul Micallef Engineering Officer John-Paul.Micallef@havering.gov.uk 01708 432385
Policy context:	Havering Local Implementation Plan 2018/19 Delivery Plan
Financial summary:	The estimated cost of implementation is £0.004m this will be met by the S106 Contribution for P0702.08 reference A2678 – 1.0 Former Harold Wood Hospital Controlled Parking Zone S106 Contribution granted planning consent on 14-11-2011.
Relevant OSC:	Environmental
Is this decision exempt from being called-in?	No

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

Communities making Havering	[x]
Places making Havering	[x]
Opportunities making Havering	[x]
Connections making Havering	[x]

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

Following concerns raised by residents over a lack of parking provisions during the operational hours of existing restrictions in the Sunflower Way area, the Council carried out an informal consultation in March 2017 on proposals to introduce Permit Parking in the immediate area. The resulting low response rate was put down to a lack of information accompanying the consultation documentation, Officers agreed to re-consult the area.

Officers spoke to local ward councillors and agreed to re-consult the area with more detailed information on the proposals, accompanying the consultation letter. It is proposed to change the existing 1 hour 'Waiting Restriction' to a 1 hour 'Resident Permit Parking Only' to allow residents a parking provision during the hour of restriction.

Following onto the informal consultation, it was agreed at the Highways Advisory Committee in July 2018, to advertise the proposals appended to this report as **Appendix A**. In October 2018, the Council formally consulted on a designed parking scheme and the results were distributed to Ward Councillors in December 2018. From the five responses received, four were against the proposals and one resident was in favour. Please see the **April 2019** Highways Advisory Committee report for the responses received to the statutory consultation.

Although four objections were made to the proposals, we do need to take into consideration residents who may not have off street parking and alternatively, move their vehicles between Monday–Friday 10.30 – 11.30am with existing restrictions. All respondents do have some form of off-street parking. Furthermore, the hours of restriction remain the same however, now residents have the option to park during the restrictions, whereas with a waiting restriction they do not have this opportunity.

AUTHORITY UNDER WHICH DECISION IS MADE

Head of Environment Delegated Powers 3.8.3

Part 3, section 2.5, paragraph S, to consider recommendations of the Highways Advisory Committee, relating to highways and traffic and to make decisions relating to them.

STATEMENT OF THE REASONS FOR THE DECISION

Sunflower Way Review –

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The aim of this proposal is to limit non-residential parking and make further parking provisions for the residents of the above roads and their visitors.

OTHER OPTIONS CONSIDERED AND REJECTED

None

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: John-Paul Micallef

Designation: Engineering Officer, Street Management

Signature: _____ Date: 29/05/2019

NAME AND JOB TITLE OF SENIOR MEMBER OF STAFF ADVISING THE DECISION-MAKER

Name: Dipti Patel

Designation: Assistant Director for Environment

Signature: _____ Date: _____

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council's power to make an order creating a controlled parking zone is set out in Part IV of the Road Traffic Regulation Act 1984 ("RTRA 1984").

Before an Order is made, the Council should ensure that the statutory procedures set out in the Local Authorities Traffic Orders (Procedure) (England & Wales) Regulations 1996 (SI 1996/2489) are complied with. 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 officer's 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.

FINANCIAL IMPLICATIONS AND RISKS

This report is asking the Cabinet Member to recommend that this scheme is progressed to be implemented following the Statutory Consultation, for the Sunflower Way Area, as laid out in **Appendix A**.

The estimated cost of implementing the proposals, including physical measures, advertising and making the Traffic Management Orders is £0.004m, which will be met by the S106 Contribution for P0702.08 reference A2678 – 1.0 Former Harold Wood Hospital Controlled Parking Zone S106 Contribution granted planning consent on 14-11-2011.

The costs shown are an estimate of the full costs to implement a scheme should it be ultimately implemented. It should be noted that further decisions are to be made following a full report to the Committee and with the Cabinet Member approval process being completed where a scheme is recommended for implementation. Therefore, final cost are subject to change.

This is a standard project for Environment 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 overall Environment budget.

**HUMAN RESOURCES IMPLICATIONS AND RISKS
(AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

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

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

Havering has a diverse community made up of many different groups and individuals. The council values diversity and believes it essential to understand and include the different contributions, perspectives and experience that people from different backgrounds bring.

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The council demonstrates its commitment to the Equality Act in its decision-making processes, the provision, procurement and commissioning of its services, and employment practices concerning its workforce. In addition, the council is also committed to improving the quality of life and wellbeing of all Havering residents in respect of socio-economics and health determinants.

Parking restrictions in residential areas are often installed to improve road safety and accessibility for residents who may be affected by long-term non-residential parking.

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.

Consultation responses will be carefully considered prior to a further course of action being recommended. There will be some visual impact from further signing and lining works.

BACKGROUND PAPERS

Appendix A – A plan of proposals.

Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

The proposals to implement the advertised residents parking scheme in the following roads below, to be implemented as advertised –

Aubrietia Close, Buttercup Close, Camelia Close, Columbine Way, Copperfield Way, Cornflower Way, Juniper Way and Sunflower Way.

Details of decision maker

Signed 

Name:

Cabinet Portfolio held:	Councillor Osman Dervish
CMT Member title:	Dipiti Patel
Head of Service title	VACANT
Other manager title:	Gurch Durhailay

Date: 8/7/2019

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on 10/7/2019

Signed 