

## **HIGHWAYS ADVISORY COMMITTEE**

**27 October 2020**

<b>Subject Heading:</b>	<b>St Helens Court Parking and Housing Enforcement</b>
<b>CMT Lead:</b>	<b>Councillor Osman Dervish</b>
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<b>Policy context:</b>	<b>Highways and Parking Strategy December 2018</b>
<b>Financial Summary:</b>	<b>The estimated cost of implementation is £0.021m and will be met from cost code C30010</b>

**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]

<b>SUMMARY</b>
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**Rainham & Wennington Ward:**

This report is presented to the Highways Advisory Committee (HAC) to comment and advise the Cabinet Member for Environment on formally advertising the proposals to convert the existing Housing Parking into a parking off street traffic order under the Traffic Management Act 2004 in St. Helen's Court, Rainham

## RECOMMENDATIONS

1. That the Highways Advisory Committee having considered this report recommends to the Cabinet Member for Environment in consultation with the Leader of the Council:
  - (a) to commence formal advertisement on the making of a traffic management order for implementation and enforcement of a Controlled Parking Zone on housing land at St Helens Court Rainham , with the hours of operation being Monday – Saturday 8am to 6.30pm as shown on Appendix A.
  - (b) if at the close of consultation, no objections are received to the proposals at 1(a) above, then the scheme proceed to full implementation.
2. Members note that the estimated cost of the fully implemented proposals, including all physical measures and advertising costs is £0.021m and will be met from the Cost code C30010.

## REPORT DETAIL

### 1.0 Background

- 1.1 The profile of parking on housing estates has been raised significantly over the last few years due to ever growing concerns raised by Residents. There have been numerous complaints received by the Council outlining the difficulties faced by Residents including insufficient parking on estates, commuter congestion, unauthorised parking structures or bays or new developments impacting on existing parking spaces.
- 1.2 It has become increasingly evident that a proactive borough wide approach needs to be taken to ensure that parking and enforcement on Housing land is managed consistently with the Council's approach to on street parking.
- 1.3 Housing commissioned Highways, Traffic and Parking to consult and implement controlled parking at St Helens Court in Rainham as a trial. Depending on the outcome of this trial which will be reviewed 6 months post implementation, this approach and method of consultation on individual schemes may be rolled out to all housing estates across the borough. The option to not do anything was considered but not seen as viable, as residents and local Ward Councillors are under continual pressure from parked vehicles which do not belong to the estate.
- 1.4 An Informal Consultation was undertaken by the Project Centre Limited and was conducted from 10<sup>th</sup> August 2020 to 20<sup>th</sup> September 2020. The consultation comprised of 14 questions in total, and distributed to 56 residential properties and 54 Business properties, and of the 110 properties, there were a total of 50 responses (45%) to the consultation.
- 1.5 The extent of the proposals is shown on the plan attached in Appendix A, and the consultation results are précised in Appendix B as appended.

## 2.0 Staff Comments

- 2.1 Of the 50 respondents from the consultation, 19 of the 50 (38%) responded to the question 'are there parking issues on the estate? The results of the consultation showed that 15 of the 19 (78.9%) respondents stated there were issues on the estate with 13 of the 19 respondents (68.4%) respondents stating that they were in support of parking controls being introduced on the estate.
- 2.2 Regarding times of operation of the scheme, 13 respondents answered this question out of 19 (68.4%). Of these 13 respondents, 8 (61.5%) supported the scheme's times of operation – Monday to Saturday 8am – 6.30pm.
- 2.3 There were 5 responses to question 7 in which 2 respondents wanted controls between 8am to 8pm, one for 8am to 6.30pm and 2 stating other. Of those stating other, no times were proposed.
- 2.4 Whilst the results of question 7 have been considered, based on the 8 responses at question 6 which support the proposals as they are, officers recommend that the times of operation to be implemented and consulted on in the traffic management order are 8am to 6.30pm.
- 3.0 Respondents show support for the shared use bays within the scheme. Based on the consultation responses officers recommend that this schemes move to consultation via the traffic management order as per the original scheme design as part of the consultation.
- 3.1 Following analysis of the report appended as Appendix B, it would seem prudent to formally advertise the traffic order with operational hours of Mon – Sat 8am – 6.30pm and the design as consulted on.
- 3.2 The Land will still remain as housing land, with off street traffic order for enforcement purposes. The responsibility of maintenance would be shared between Housing and Parking.
- 3.3 All Ward Councillors have been made aware of the proposals as set out in the recommendation.

### IMPLICATIONS AND RISKS

#### Financial implications and risks:

This report is asking HAC to recommend to the Cabinet Member the implementation and accept the recommendations made by officers of the above scheme

Should all proposals be implemented, the estimated costs of £0.021m which includes advertising costs and implementing the proposals as described above and shown on the attached plans will be met from the Cost Code **C30010**. It should be noted that subject to the recommendations of the committee a final decision would then be made by the Lead Member – as regards actual implementation and scheme detail. Therefore, final costs 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.

The maintenance of this scheme is to be agreed with Housing in a separate decision.

### **Legal implications and risks:**

The Council's powers to make an order to introduce parking controls is contained in section 6 and 45 of the Road Traffic Regulation Act 1984 ("RTRA 1984") for land considered 'on-street' and sections 32 and 35 RTRA 1984 for land considered 'off-street'. Orders under Section 6 can be made to control or regulate vehicular or other traffic.

Section 45 RTRA 1984 allows Orders to designate paying parking places. In making such an Order consideration must be given to the interests of traffic, and also the interests of owners and occupiers of adjoining properties, and in particular, the need for maintaining free movement of traffic, the need for maintaining reasonable access to premises and the extent to which off-street parking is available in the neighbourhood.

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.

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.

### **Human Resources implications and risks:**

The enforcement of Controlled Parking Zones is a labour intensive task. Currently, there are sufficient employees to undertake enforcement.

### **Equalities 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.

This scheme, if implemented, will allow all Blue Badge Holders to park for free, and is not in the immediate proximity of a place of faith, so should have a low impact environmentally and diversely.

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

## **BACKGROUND PAPERS**

**Appendix A – Proposed Parking Layout**

**Appendix B - Précised table of Consultation Results**

**Appendix C - Report of Consultation with results**