

## **HIGHWAYS ADVISORY COMMITTEE**

### **Tuesday 20 April 2021**

<b>Subject Heading:</b>	<b>St Helen's Court Parking and Housing Enforcement</b>
<b>Lead Member:</b>	<b>Councillor Osman Dervish &amp; Councillor Joshua Chapman</b>
<b>Report Author and contact details:</b>	<b>Gareth Nunn</b> <a href="mailto:Gareth.nunn@havering.gov.uk">Gareth.nunn@havering.gov.uk</a> <b>01708 433139</b> <b>Engineering Technician</b>
<b>Policy context:</b>	<b>Highways and Parking Strategy December 2018</b>
<b>Financial Summary:</b>	The estimated cost of implementation is £0.021m and will be met from cost code C30010

#### **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]

### **SUMMARY**

#### **Rainham & Wennington Ward:**

This report is presented to the Highways Advisory Committee (HAC) to comment and to advise the Cabinet Members for Environment and Housing on implementing 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 to make a Traffic Management Order for implementation and enforcement of a Controlled Parking Zone, operational from Monday to Saturday between 08:00 hours and 18:30 hours, on housing land at St Helen's Court Rainham, shown on the plan in Appendix A.
- 2) Members should 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. Background

- 1.1 This proposal and the results of an informal consultation were presented to the Highways Advisory Committee at their meeting in October 2020 where it was recommended to proceed to the formal advertising of this proposal.
- 1.2 Formal advertisement of the proposal commenced on January 29th 2021, which included an advert in the Romford Recorder, Notices erected on site and residents and businesses of St Helen's Court and the surrounding area directly sent letters. At the close of consultation 10 responses to the formal advert were received of which 9 were objections.
- 1.3 Surrounding roads in addition to St Helen's Court were consulted due to the potential impact the proposal could have on the wider area, particularly the introduction of a Pay & Display/cashless parking facility.
- 1.4 A petition requesting additional parking spaces for St Helen's Court was also received which consisted of 33 signatures of which 15 appear to be residents of St Helens Court. Of the 15 residents, 9 of these also responded directly to the public advertisement. Those residents that had signed the petition but had not responded directly to the public advertisement have had their petition signature considered as an objection to the proposal. A comment from a Ward Councillor was also treated as an objection meaning a total of 16 responses/petition signatures have been treated as objections.
- 1.5 Accompanying the petition was a survey undertaken by a resident of St Helen's Court, which asked the questions (i) are you in agreement to the residents requiring additional parking to what has been proposed by Havering Council?' and (ii) which parking regulation would you prefer?'.  
26 residents responded to this survey with 24 residents indicating they were in agreement that occupants require more parking provisions, while 25 residents indicated they would prefer the existing 'gated system' rather than residents' parking.

- 1.7 The overwhelming reason for the objections is due to the limited amount of parking provisions on St Helen's Court. Residents have historically parked in locations that have the potential to cause obstruction issues such as on junctions and bends within St Helen's Court.
- 1.8 A further concern raised by residents is the hours of operation of the proposal and particularly the restriction end time of 18:30. It is feared that drivers using local amenities still open at this time (such as takeaway restaurants) may use St Helen's Court as a parking facility.
- 1.9 On 25<sup>th</sup> February 2021, a meeting took place with officers from both Housing and Environment as well as a local Ward Councillor to consider the objections received and determine a way forward. The recommendation agreed is set out in the officer comments below.

## **2. Officer Comments**

- 2.1 Due to the concerns regarding obstruction and access in to St Helens Court with the existing parking arrangement, Officers favour the introduction of the proposed scheme as advertised. Officers feel that the free and unhindered passage of vehicles (including emergency service vehicles) must be paramount in their recommendation.
- 2.2 Officers acknowledge and empathise with the concerns raised by residents in regards to the amount of parking provisions on St Helens Court. For this reason it was agreed at the meeting on 25/02/21 that a feasibility study on a 2<sup>nd</sup> phase of this proposal will take place with a view to creating further parking provisions by demolishing some existing garages on St Helen's Court and installing resident permit holder only parking bays.
- 2.3 Due to the safety concerns around obstructive parking and the time it may take to investigate the feasibility and subsequent implementation of phase 2, officers favour the introduction of phase 1 (the advertised proposal) without delay to ensure obstruction problem and safety concerns are rectified as soon as possible.
- 2.4 Housing will investigate the cost and feasibility of demolishing the garages and if necessary undertake these works. Highways, Traffic and Parking (HTP) will design, consult, arrange Traffic Orders and generally oversee the implementation of additional resident parking bays in these new spaces as well as any other complimentary measures such as the introduction or removal of waiting restrictions that may be required. For Phase 1 of the St Helen's Court proposals, HTP commissioned an external company for the design and consultation process, however phase 2 will be undertaken internally by HTP.
- 2.5 Recommendation for Phase 2 of the St Helen's Court parking proposals would be brought to the Highways Advisory Committee as part of a separate decision.
- 2.6 In regards to concerns raised regarding the restriction end time of 18:30hrs, it is hoped that the existing on street parking provisions on Upminster Road South will be sufficient to accommodate vehicles being used to visit local amenities that may still be open such as takeaway restaurants. However, the effects of the scheme will be monitored and should an extension to the hours of operation be necessary this change can be considered.

## IMPLICATIONS AND RISKS

### **3. Financial implications and risks:**

- 3.1 This report is asking HAC to recommend to the Cabinet Member the implementation of the above scheme.
- 3.2 Should all proposals be implemented, the estimated cost of implementation is £0.021m which includes advertising costs and implementing the proposals as described above and shown on the attached plans. The cost will be met from cost code C30010.
- 3.3 It should be noted that subject to the recommendations from the committee, a final decision would then be made by the Lead Members of Housing and Environment – as regards the actual implementation and scheme detail. Therefore final costs are subject to change.
- 3.4 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
- 3.5 The maintenance of the scheme is to be agreed with Housing in a separate decision.

### **4. Legal Implications and risks:**

- 4.1 The Council's power 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.
- 4.2 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.
- 4.3 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.
- 4.4 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.
- 4.5 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.

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

- 5.1 The implementation and enforcement of the scheme can be undertaken within the current staffing levels.

## **6. Equalities implications and risks:**

- 6.1 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.

- 6.2 The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.
- 6.3 The proposals provide measures to improve safety and accessibility for all road users.
- 6.4 The proposals included in the report have been informally consulted on and all residents who were perceived to be affected by the review were sent letters and questionnaires.
- 6.5 There will be some physical and visual impact from the required signing and lining works. Where infrastructure is provided or substantially upgraded, reasonable adjustments should be made to improve access for disabled, which will assist the Council in meeting its duties under the Equality Act 2010.

## **BACKGROUND PAPERS**

**Appendix A - Proposed 'Residents Parking Scheme' and complimentary measures (also included in this report)**

**Appendix B – Summary of responses to formal advert including petition & independent survey (accompanying document)**

**Appendix C – Copy of the letter sent to residents during the formal advert**

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**LEGEND**

- Proposed shared use bay Mon - Sat 8am - 6:30pm (resident permit holders or pay and display max stay 1 hr no return within 2 hrs)
- Proposed resident permit holders only Mon - Sat 8am - 6:30pm
- Proposed disabled bay
- Proposed motorcycle bay
- Proposed no waiting at any time
- Proposed no waiting at any time and no loading at any time

Rev	Date	Description	By	CHK	APP



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**Client**  
 The  
**PROPOSED LAYOUT**  
**ST HELENS COURT**

**FOR INFORMATION**

Drawn	Checked	Scale	Date
MS	MS	1:500	10/18
Drawn	Checked	Scale	Date
MS	MS	1:500	10/18