

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	<b>Virtual Permits 2021</b>
<b>Cabinet Member:</b>	Cllr Osman Dervish
<b>SLT Lead:</b>	Barry Francis Director of Neighbourhoods
<b>Report Author and contact details:</b>	Diane Bourne Schemes Manager <a href="mailto:Diane.bourne@havering.gov.uk">Diane.bourne@havering.gov.uk</a> <b>01708 434871</b>
<b>Policy context:</b>	Havering Local Development Framework (2008)
<b>Financial summary:</b>	<b>Estimated cost of £0.001m to be funded from cost centre A26910, Engineering Services 2021/22 budget</b>
<b>Relevant OSC:</b>	Environment
<b>Is this decision exempt from being called-in?</b>	Yes, it is a Non Key Decision by Officer

### 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 a resolution of Cabinet on 17 February 2021 authorising the introduction of virtual parking permits in the Borough, this Executive Decision approves the commencement of statutory consultation on proposals to amend the Boroughs Traffic Orders the effect of which will be to bring virtual parking permits into operation across all parking permit types.

If at the close of public consultation no objections are received to the proposals then all necessary changes to the Boroughs Traffic Orders will be made to enable the introduction of virtual parking permits.

### AUTHORITY UNDER WHICH DECISION IS MADE

Council's Constitution

Part 3

3.8.3. Assistant Director of Environment Delegated Powers

(s) To authorise minor alterations to traffic management orders to enable implementation of approved proposals or continuation of traffic management schemes.

(u) To authorise the creation, amendment and removal of disabled persons' parking bays and footway parking bays and at any time waiting restrictions at bends and road junctions

### STATEMENT OF THE REASONS FOR THE DECISION

On 17<sup>th</sup> February 2021 Cabinet resolved to approve the introduction of virtual permits across in the Borough across all permit types from May 2021. Affected parking permit types:

- Business
- Carer
- Car Park Season Tickets
- Critical duty
- Havering clinical commissioning group
- Havering Hero
- Health and homecare
- Members
- Parking Waivers
- Resident
- Staff Car Park Season Tickets
- School Streets exemption
- Voucher
- Visitor

In order to give effect to the Cabinet resolution to introduce virtual parking permits it is necessary to amend the Boroughs Traffic Orders. The reasoning for the introduction of virtual parking permits is set out in the Cabinet report of 17<sup>th</sup> February 2021.

### OTHER OPTIONS CONSIDERED AND REJECTED

**Non-key Executive Decision**

No other options considered. This decision is required to give effect to the Cabinet resolution on the introduction of virtual parking permits of 17<sup>th</sup> February 2021.

**PRE-DECISION CONSULTATION**

Cabinet report approving the introduction of virtual permits was agreed on 17<sup>th</sup> February 2021. Please see the following link ;

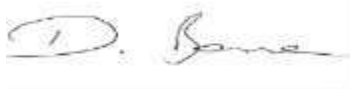
<https://democracy.havering.gov.uk/documents/s48976/CABINET%20-%20Virtual%20permits%20v1.2.pdf>

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

Name: Diane Bourne

Designation: Schemes Manager, Traffic & Parking

Signature:



Date: 08.06.21

## Part B - Assessment of implications and risks

### LEGAL IMPLICATIONS AND RISKS

Here Officers seek approval for the commencement of public consultation on amendment to the Boroughs Traffic Orders to enable the introduction of virtual parking permits that pursuant to the Council's Constitution requires an executive decision by the Assistant Director for Environment.

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") with the power to designate parking places set out under part IV of the 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 & 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

The estimated costs of £0.001m which includes advertising costs and amending the traffic orders as described above and will be met from the 2021/22 A26910, Engineering Services budget which at the time of this report has sufficient available budget.

This decision falls under Environment and there is no expectation that the amendment and advertising costs cannot be contained within the cost 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)

The proposal can be delivered within the standard resourcing within Street Management, and has no specific impact on staffing/HR issues. Staff that currently hold paper parking permits for the Town Hall or other Council car parks will be required to obtain a virtual permit. Current internal process are being reviewed to accommodate this and the Trade Unions have been engaged as a courtesy.

**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.

An EQHIA form was completed with regards to virtual permits and was attached as part of the cabinet report.

**BACKGROUND PAPERS**

Non-key Executive Decision

**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**

Proposal agreed

1. Introduction of virtual permits across the borough and amendment of traffic orders accordingly

**Details of decision maker**

Signed

*Nicolina Cooper*

Name: Nicolina Cooper

Officer: Interim Assistant Director Public Realm

Date:  
08.06.2021

**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 \_\_\_\_\_

Signed \_\_\_\_\_

**Non-key Executive Decision**