

HIGHWAYS ADVISORY COMMITTEE

8th February 2022

Subject Heading:	St Helens Court Parking and Housing Enforcement Scheme. Objection Report.
Lead Member:	Councillor Osman Dervish & Councillor Joshua Chapman
Report Author and contact details:	Omar Tingling omar.tingling@havering.gov.uk Senior Engineer
Policy context:	Highways and Parking Strategy December 2018
Financial Summary:	The estimated cost of implementation is £0.022m 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:**

Following on from approval to commence with the formal advertising of 'H1' Controlled Parking Zone (CPZ) for both resident permit holders only and shared use paid for parking / resident permit holders only bays, which would be operational on Monday to Saturday between 08:00 hours and 18:30 hours, on housing land in St Helens Court Rainham officers have received two responses to the scheme.

This report is therefore being presented to the Highways Advisory Committee (HAC) to:

- consider the officers recommendations and overrule the objections; and
- advise the Cabinet Members for Environment and Housing to proceed with the introduction of 'H1' Controlled Parking Zone (CPZ) for both resident permit holders only and shared use paid for parking / resident permit holders only bays operational on Monday to Saturday between 08:00 hours and 18:30 hours, on housing land in St Helens Court Rainham.

RECOMMENDATIONS

1. That the Highways Advisory Committee having considered this report recommends to the Cabinet Members for Environment and Housing in consultation with the Leader of the Council to:
 - a) agree the recommendations made to overrule the objections received during the statutory consultation on the introduction of a residents parking scheme on housing land in St Helens Court Rainham.
 - b) commence with the implementation of a residents parking scheme which would see the introduction of 'H1' Controlled Parking Zone (CPZ) for 'for both resident permit holders only and shared use paid for parking / resident permit holders only bays operational on Monday to Saturday between 08:00 hours and 18:30 hours, on housing land in St Helens Court Rainham; as shown on the plan in Appendix A.
2. That the Highways Advisory Committee having considered this report recommends to the Cabinet Members for Environment and Housing in consultation with the Leader of the Council notes:
 - a) that the estimated cost of the fully implemented proposals, including all physical measures and advertising costs is £0.022m and will be met from the cost code C30010.
 - b) that due to budget constraints Housing officers have confirmed the proposed installation of a pay & display machine with a cashless payment option at the cost of £3,500 would not a viable option. This would mean that if approved:
 - I. Highways would need to make provision for a machine to be installed on Housing land from their Highways Improvement Programme (HIP) budget; and
 - II. Highways would retain the revenue made from this machine up to the value of £3,500 and thereafter all revenue from this machine will be split with housing. However, this would also mean that Highways would be responsible for any maintenance costs.
 - c) If agreed the land will remain as Housing land, with a traffic management order in place for enforcement purposes. The responsibility of maintenance would be shared between Housing and Parking which would be detailed in a Service Level Agreement (SLA).
 - d) if agreed implementation of the scheme would not be progressed until the SLA between the Housing Authority and Highways Authority has been agreed.

REPORT DETAIL

1.0 Background

- 1.1 Following on from the proposal to review the parking on Housing land in St Helens Court Rainham, which would see the introduction of 'H1' Controlled Parking Zone (CPZ) for both resident permit holders only and shared use paid for parking / resident permit holders only bays operational on Monday to Saturday between 08:00 hours and 18:30 hours. The Highways Advisory Committee meeting on 10th August 2021 agreed for officers to undertake a statutory consultation on phase 2 of the scheme.
- 1.2 The results of the Phase 1 consultation, which was undertaken in January 2021 raised concerns in relation to the capacity of parking in St Helens Court and it was agreed that the viability of demolishing 2 garage sites on St Helens Court would be investigated as part of phase 2 with the view to converting these spaces in to further resident permit holder only parking bays.
- 1.3 Housing have undertaken a consultation with the lease holders and as a result of the consultation and confirmation of cost, the Lead Member for Environment has agreed to progress with the demolition of the two garage sites for the purpose of introducing the parking bays. It has been confirmed by Housing officers that existing garage residents have been offered an alternative garage provision elsewhere.
- 1.4 Due to budget allocations and time constraints it has been agreed the implementation of these works would need to take place before the end of the 2021/22 financial year.
- 1.5 Housing have undertaken a consultation with the lease holders and as a result of the consultation and confirmation of cost, the Lead Member for Housing agreed to progress with the demolition of the 2 garage sites.
- 1.6 The garages were removed in October 2021 and the ground was left in a condition which is now fit for parking.
- 1.7 A Statutory Consultation on the resident permit holders only parking in the (demolished) garage area was undertaken between 26th November 2021 to 17th December 2021.
- 1.8 Adverts were placed in the Romford Recorder and London Gazette on 26th November 2021 inviting comments on the scheme. 176 letters were distributed to St Helen's Court and the surrounding area, along with notices which were erected on lamp columns in the area advising people of the consultation. Please see **Appendix B**.

2 Objections to the proposals:

- 2.1 At the close of consultation the council received 2 responses to phase 2 of the scheme which included objections and these along with the officers responses are detailed in a) and b) below:

2.1.1 Objection 1

- I. I am writing in regard to the proposed introduction of a residents parking scheme at St Helens Court. I am a leaseholder and have lived at St Helens Court for nearly 15 years. I have a few points I would like to make.

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- II. The parking issue at St Helens has always been a lack of parking spaces for residents. There are 56 flats and many of these own 2 vehicles. Whilst the creation of some new spaces will help, the current plan does not go far enough. There is parking for about 40 cars on the current plan...this does not even provide for 1 vehicle per household, which should surely be the bare minimum. Can the council create more spaces for residents before lumbering us with costly permits which don't guarantee a parking space?
- III. I object to the sharing of resident's spaces with local businesses at the entrance to St Helens Court. These businesses have plenty of parking along Upminster Road South and in the Pay and Display car park on Viking Way (at the back of Tesco car park) This car park is very badly signed....there is nothing to say that it is a car park for the village shops and it is always empty. Why do the shops need to share our parking spaces when we haven't even got one space per flat? The shops have perfectly adequate and available parking on Viking Way, they don't need any more - the Viking Way car park with short term fees is always empty.
- IV. The letter of 24/11 does not specify how long visitor permits will be valid for. As you have said, the resident permits will not be transferrable between vehicles. If I have a courtesy car and am forced to use visitor permits for it, I would like to make sure that the visitor permit lasts for the whole day so that I can go to work by public transport and not get fined because the visitor permit has run out in my absence. This also applies to our visitors if we take them out on day trips etc.
- V. Please do not remove the car park gates once the permit scheme is introduced. They will give us extra protection against people selling books of visitor permits to commuters etc.
- VI. Will there be a grace period? I have had to self isolate on a number occasions during the pandemic and relied on friends to deliver essentials. In the future, would they have to use a visitor permit when stopping for 5/10 minutes? That would be very unfair in these uncertain times and I know it would affect many elderly residents too. Thank you for considering my concerns.

2.1.2 Officers response to objection 1

- I. Highways has been approached by Housing to implement controls in St Helens Court to manage the erroneous parking and where possible provide additional bays for use by residents of the estate. The implementation of this scheme would achieve this and the parking capacity would increase from approximately 30 to 40 parking spaces for the 56 properties.

Whilst it is accepted the parking space provision does not equate to 1 vehicle per household, this is not something that Highways could achieve within the constraints of the site whilst ensuring accessibility for both emergency services and refuse.

Unfortunately the implementation of parking controls does not guarantee a space but the cost of a permit in Havering is one of the lowest in London and there is no limit on the number that can be purchased.

- II. Most of the bays within St. Helens Court would provide parking for residents of the estate only. However, it was agreed with Housing to propose shared use resident permit holder and paid for parking bays on the approach road to the estate only, to

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enable visitors to or residents of St Helens Court to park using another means as opposed to visitor permits, which is usually at the expense of the resident. This would mean that in addition to visitors to residents' drivers making deliveries or collections would also be able to park in relatively close proximity to the property they are going to.

The scheme would however, prioritise residents parking in the zone over non-estate users and assures enforcement of the area can be undertaken; maintain access for the emergency services and refuse collection vehicles; and enable enforcement against abandoned or disused vehicles left within the zone.

- III. Details of the council's tariffs are available on the website but I have included the information below for ease of reference:

Controlled Parking Zones:

Resident's parking permit (per annum)	
1st Permit per household	£35.00
2nd Permit per household	£60.00
3rd Permit per household	£85.00
Resident's visitor permits (book of 10)	£13.00
Resident's All Day visitor permits (book of 10)	£39.00
Resident's Hourly visitor permits (book of 10)	£10.00

Courtesy cars would be managed through the current MIPermit portal system on the council's website and the information provided by the applicant should enable such transfers to be actioned seamlessly.

- IV Following on from discussions with Housing it was agreed that as part of the proposals the gates would be removed. This is due to the fact that if controls are implemented the enforcement of them would need to adhere to current Highway legislation which does not permit the council to reserve parts of the 'highway' for specific users. Retaining the gates would mean that when locked we would effectively be restricting access to other user groups outside of the operational hours of the zone which is not permitted.

The introduction of a residential parking scheme prioritises the residents of the zone over non-estate users. It also assures that there is enforcement of the area which maintains access for the emergency services and refuse collection vehicles. It would also mean that any abandoned or disused vehicles left within the zone could be enforced against.

- V If approved there is normally a week 'grace period' where warning notices are issued before enforcement begins. However, there would not be a grace period after that time for visitors. They would either need to pay for parking or use a visitor permit.

2.1.3 Objection 2:

- I. My wife and I object to the plan to charge residents of St Helens Court to park in the estate's parking spaces. We are on a low income and this will only add to our increasing living costs. We would prefer we stuck with the current barrier system which works perfectly. Thank you for your time and for giving us the chance to make this objection.

2.1.4 Officers response to objection 2

- I. Highways has been approached by Housing to implement controls in St Helens Court to manage the erroneous parking and where possible provide additional bays for use by residents of the estate.

The scheme would however, prioritise residents parking in the zone over non-estate users and assures enforcement of the area can be undertaken; maintain access for the emergency services and refuse collection vehicles; and enable enforcement against abandoned or disused vehicles left within the zone.

However, cabinet approval does mean that to implement these types of schemes there is a charge which has been set for the management of parking and whilst we appreciate the concerns raised in relation to parking permit costs, the cost of a permit in Havering is one of the lowest in London and there is no limit on the number that can be purchased.

3. Recommendations

- 2.1 It is recommended that the Highways Advisory Committee having considered this report recommends to the Cabinet Members for Environment and Housing in consultation with the Leader of the Council to:

- a) Overrule the above objections as it is considered the benefits to residents far outweigh the comments received. The scheme would:
 - I. prioritise residents parking in the zone over non-estate users and assures enforcement of the area can be undertaken;
 - II. maintain access for the emergency services and refuse collection vehicles; and
 - III. enable enforcement against abandoned or disused vehicles left within the zone
- b) agree to progress with the introduction of a residential parking scheme which would see the introduction of 'H1' Controlled Parking Zone (CPZ) for 'for both resident permit holders only and shared use paid for parking / resident permit holders only bays operational on Monday to Saturday between 08:00 hours and 18:30 hours, on housing land in St Helens Court Rainham which would not be implemented until a Service Level Agreement (SLA) is in place.

IMPLICATIONS AND RISKS

4 Financial implications and risks:

- 4.1 This report is asking HAC to recommend to the Cabinet Member the formal advertisement of the above scheme.

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- 4.2 Should all proposals be implemented, the estimated cost of implementation is £0.022m which included advertising costs and implementing the proposals as described above and shown on the attached plans will be met from cost code C30010. 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 actual implementation and scheme detail. Therefore final costs are subject to change.
- 4.3 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 overspend, the balance would need to be contained within the overall Environment budget.

5 Legal Implications and risks:

- 5.1 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.
- 5.2 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.
- 5.3 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 (TSRGD) 2016 govern road traffic signs and road markings.
- 5.4 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.
- 5.5 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.

6. Human Resources implications and risks:

- 6.1 The implementation and enforcement of the scheme can be undertaken within the current staffing levels. Given the Coronavirus outbreak, the paramount consideration of the Council is the health and wellbeing of Members and officers.

7. Equalities implications and risks:

- 7.1 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;

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- (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.

- 7.2 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.
- 7.3 The proposals provide measures to improve safety and accessibility for all road users.
- 7.4 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.
- 7.5 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.

8. Public Health implications and risks:

- 8.1 The introduction of the controlled parking zone will support managing parking demand in the area. In turn this is likely to result in improved levels of safe parking in the area which will improve visibility for road users. The introduction of permit will help make the street more attractive by reducing the dominance of parked cars on a street and thus allowing space for trees, walking or cycling.
- 8.2 The parking permits provide priority access to residents which will make it easier for residents to park nearer their home. The parking permits will help reduce traffic and pollution by discouraging vehicles from driving as there could be a lack of parking.

BACKGROUND PAPERS

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Appendix A – Phase 2 of St. Helens Court Parking Proposals.

Plan showing existing garage sites that have been demolished where 'resident permit holders only' parking bays are proposed.



Appendix B – Phase 2 of St. Helens Court Parking Proposals - consultation letter.



Highways, Traffic and Parking
London Borough of Havering
Town Hall,
Main Road
Romford RM1 3BB

Please call: Schemes
Telephone: 01708 432373

Email: schemes@haverling.gov.uk

Date: **24th November 2021**

IMPORTANT PARKING CONSULTATION ENCLOSED

The Resident/Occupier

Dear Sir/ Madam

St Helens Court - Proposed Introduction of Residents Parking Scheme

Further to our recent consultation of residents and businesses in St Helens Court, on a proposal to introduce a 'residents parking scheme' to deter long term, non-residential parking and prioritise parking on St Helens Court for its residents. We are now in a position to formally consult residents and businesses of the area on the full extent of the area available. Results of the previous consultation can be found at <https://democracy.havering.gov.uk/documents/s50145/St%20Helens%20Court%20HAC%20report%20-FINAL%2012-04.pdf>.

This consultation is in relation to the area that will become available when the garages are removed. The previous consultation area can be seen in appendix A. The additional parking areas becoming available are shown in Appendix B in the key as New Proposed residents bay Mon-Sat 8.30am – 6.30pm.

The scheme would be the first residents parking scheme to be introduced at one of the Havering housing estates and if successful will be considered at further locations. This proposal has been designed to resolve years of issues and complaints raised in regards to parking at St Helens Court and also includes complimentary measures such as waiting/loading restrictions and a short stay parking facility.

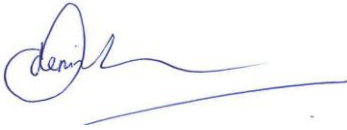
Full details of the proposals, including relevant traffic management orders, are available for inspection for a period of 21 days at www.haveringtraffweb.co.uk. A plan of the proposal is also enclosed within this letter.

Should you wish to formally comment on the proposal, all comments should be sent in writing to the Highways, Traffic and Parking Group Manager, Havering Town Hall, Main Road, Romford RM1 3BB or by email to schemes@haverling.gov.uk and to be received by **17th December 2021**. All objections must state the grounds on which they are made.

Please note that officers are unable to answer individual points raised at this stage. However, your comments will be noted and will be taken into consideration when the final report is presented to us (the Lead Member for Environment and Lead Member for Housing) and any issues will be addressed at that time. All comments received are open to public inspection.

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Yours faithfully



Councillor Osman Dervish
Lead Member for Environment



Councillor Joshua Chapman
Lead Member for Housing

Further Information

The Proposal

Hours of operation of the parking zone to operate as per the streets surrounding St Helens Court, Monday – Saturday 08:00 to 18:30.

Double yellow lines and loading restrictions are proposed to ensure the road network around the estate is kept clear so refuse and emergency service vehicles can safely access the estate at all times. Double yellow lines also mean loading and unloading can take place where it is safe to do so, but will also mean these areas cannot be used for parking, especially in front of the garages and the entrances to each block

Dedicated disabled bays for blue badge holders, it should be noted any blue badge holder can use these parking spaces, even those who do not live on or are visiting the estate

Blue Badge holders will also be able to park in the permit holder parking places, whilst displaying their Blue Badge, whether or not they live on or are visiting the estate, this is in line with current parking policy across Havering.

Shared use bays (resident permit holders and pay & display) have been proposed as part of the scheme design to support the local shops nearby St Helens Court which will provide both resident and paid-for parking.

Permits

To obtain a permit, proof of residency and proof the vehicle is registered (or kept if a company or lease vehicle) at an address at St Helens Court would be required. Only residents living in St Helens Court will be eligible for a permit.

Permits and visitor permits are to be displayed in the vehicle and can be obtained through the Council's website

If you are a Blue Badge holder you will not need to purchase a permit for your vehicle, but you will need to display your blue badge whilst parked in a permit parking place

The current costs for financial year 2020/21 for resident permits are:

- first permit to an address is £35
- second permit to an address is £60
- any further permit issued to an address are £85
- Motorcycles – No charge
- One book of 10 visitor permits is £13

Each vehicle needs its own permit and unfortunately, they're not transferable to another vehicle. Permit Charges are reviewed on an annual basis.

To find your data rights, please see the link below for all details:

https://www.havering.gov.uk/info/20044/council_data_and_spending/139/data_protection/1

Appendix C – Phase 1 of St Helens Court Parking Proposals

