

MUNICIPAL YEAR 2019/2020 REPORT NO.

ACTION TO BE TAKEN UNDER DELEGATED AUTHORITY

PORTFOLIO DECISION OF:

Cllr Guney Dogan
Cabinet Member for Environment

REPORT OF:

Executive Director
Place

Agenda – Part:	KD Num: N/A
Subject: Bowes Park Controlled Parking Zone	
Wards: Bowes	

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1. EXECUTIVE SUMMARY

- 1.1 The report considers the response to the statutory consultation of February 2019 on zonal parking controls in the Bowes Park area and recommends that a scheme be implemented on an experimental basis to allow a period for further feedback on whether the chosen controlled hours are suitable.

2. RECOMMENDATIONS

- 2.1 To make a traffic management order pursuant to Section 9 of the Road Traffic Regulation Act 1984 and undertake all other necessary steps to implement the parking scheme shown at Appendix B on an experimental basis, which includes:
- A controlled parking zone across the area shown, operating between 10am and 1pm, Monday to Friday
 - Short sections of double yellow line at Whittington Road, Russell Road and Granville Road.
- 2.2 To invite comments during the experimental period and to prepare a subsequent report to determine whether the scheme should be made permanent in the light of operational experience and feedback.
- 2.3 To fund the estimated £20,000 cost of implementing the new controls from the 2019/20 Corridors and Neighbourhoods LIP allocation.

3. BACKGROUND

- 3.1 Many homes across the proposed zone lack off-street parking areas. Representations from the community across recent years mention competing demands for on-street parking space from commuters catching buses or trains into the city; visitors to commercial premises on Green Lanes; and domestic parking by residents of adjacent zones in Haringey who are seeking to avoid buying permits to park in their own streets.
- 3.2 Since 2016 street-by-street petitions showing majority support for zonal parking controls have been submitted from Russell Road (including Granville Road), Melbourne Avenue, Belsize Avenue and Kelvin Avenue. Previous interest also arose in Marlborough Road. The Council saw merits in drawing up area-wide proposals, which it consulted upon in summer 2018. A positive response was received overall, as summarised below. The suggested controlled period - weekdays, 10am to 1pm – found good levels of support.

Summary of Bowes Area CPZ Consultation Responses - Summer 2018												
Homes Consulted in 2018 Inside Proposed Zone		Responses		In Support		Opposed **		Fav. Days			Fav. Hours	
		Nr	Rate	Nr	%	Nr	%	M-F	M-St	M-Sn	3hrs	Longer
Kelvin Avenue	100	27	27%	27	100%	0	0%	12	6	8	18	8
Melbourne Avenue	84	32	38%	30	94%	2	6%	16	5	10	20	10
Belsize Avenue	83	27	33%	25	93%	2	7%	13	6	6	16	9
Palmerston Rd	250	23	9%	19	83%	4	17%	8	5	2	10	9
Russell Rd / G'ville Rd	183	54	30%	44	81%	10	19%	35	2	10	28	12
Marlborough Rd	71	25	35%	20	80%	5	20%	13	3	4	14	5
Sidney Avenue	122	13	11%	10	77%	3	23%	2	2	6	5	6
Whittington Rd	157	28	18%	16	57%	12	43%	11	6	11	10	7
Spencer Avenue *	81	23	28%	7	30%	16	70%	5	1	1	4	2
COMBINED	1131	252	22%	198	79%	54	21%	115	36	58	125	68
*a petition indicated further opposition from Sp. Ave				18% all homes		5% all homes		** including those answering not sure				

- 3.3 Majority support for the proposals was therefore found in all streets except Spencer Avenue, where a subsequent petition confirmed that most expressing an interest objected to the proposals. The need for single yellow lines across driveways, of which this street has many, was the key concern.
- 3.4 The idea of fitting motorcycle bays and cycle hangars in the gaps between driveways was also unpopular. The amended proposals deleted the motorcycle bays in Spencer Avenue, as little support was found for them. Cycle hangars were relocated to the build outs at the Palmerston Road end of the avenues, with the overall proposals continuing to offer good coverage for those in the area lacking convenient cycle storage at their homes.
- 3.5 The proposals were amended on this basis ahead of the statutory consultation, as shown at Appendix A.

4. STATUTORY CONSULTATION

- 4.1 In February 2019 the Council ran its statutory consultation exercise, which included notices published in the London Gazette, in the local newspaper and posted in the street. An updated leaflet was distributed across the zone and an email was sent to circa 190 individuals whose email addresses had been captured under previous engagement.
- 4.2 Although the rate of response dropped from 22% to 10%, it can be seen below that clear overall support was maintained within the zone amongst those responding. It might be surmised that many who were moderately in support, or moderately opposed, when first consulted did not feel moved to reaffirm their views, believing the strong levels of support found at the previous consultation stage would prove conclusive.

Summary of Bowes Area CPZ Consultation Responses - February 2019							
Homes Inside Zone Consulted in Feb 2019		Responses		In Support		Opposed	
		Nr	Rate	Nr	%	Nr	%
Marlborough Rd	71	9	13%	9	100%	0	0%
Sidney Avenue	122	2	2%	2	100%	0	0%
Kelvin Avenue	100	16	16%	15	94%	1	6%
Russell / G'ville Rd	183	33	18%	30	91%	3	9%
Melbourne Avenue	84	19	23%	17	89%	2	11%
Belsize Avenue	83	8	10%	7	88%	1	13%
Spencer Avenue	81	7	9%	5	71%	2	29%
Palmerston Rd	250	10	4%	7	70%	3	30%
Whittington Rd	157	10	6%	5	50%	5	50%
COMBINED	1131	114	10%	97	85%	17	15%

	ALL RESPONSES		
	TOTAL	For	Against
Inside Zone	114	97	17
Outside Zone	9	0	9
COMBINED	123	97	26

OBJECTIONS TO BE CONSIDERED		Nr	*Note: Two responses indicating opposition failed to state any grounds for their objection
Street / Area			
Inside zone		15 *	
Green Lanes flats		5	
Green Lanes shops		2	
South of zone		1	
West of zone		1	
TOTAL		24	

- 4.3 The Council's relating policy document – the CPZ Consultation Charter – sets a threshold of support in order for a scheme to be taken forward: 50% support with a 40% response rate. This provides the Council with a basis for rejecting schemes based on limited, marginal support (say 8 in support, 6 opposed) in the case of smaller schemes. The Bowes Park CPZ has been taken forward in a more proactive, area-wide manner due to the spread of support set out at 3.2 above. Covering such a large area, there are strategic benefits in taking forward the proposals to discourage unhelpful commuter travel habits. Although response rates are lower than 40%, the high number of total responses, and the clear majority support amongst those, justifies departing from this criterion for these proposals.
- 4.4 Submissions represented 123 households in total. The 9 of these from outside the zone boundary were objections. From the remaining 114 inside the zone boundary 97 (85%) were in support, 17 (15%) against.
- 4.5 Spencer Avenue, this time, returned only 2 objections. The least positive response was from Whittington Road. Note that one of its 5 objections referred explicitly to a nearby cycle hangar – the parking

controls were welcomed – hence it can be stated that majority support for the parking controls was found across all 10 streets.

4.6 The matrix below picks out recurring concerns amongst the comments submitted, including those found within responses supporting the proposals overall. A chief concern is that the controlled hours should be longer. In Russell Road a stronger deterrent is sought to overnight parking by Haringey residents; in Melbourne Avenue, to visitors to nearby restaurants/bars. However, the suggested hours have proven popular overall amongst those within the zone across both consultation exercises. In the latest exercise, compare the 97 households supporting the overall proposals, to the subset of 10 stating the hours are too short. Note also the opposing subset of 3 that they are too long.

Recurring Concerns (including from respondents who were, overall, in support of the proposals)	Number of Homes Expressing the Concern											
	Mar'boro Rd	Sidney Ave	Kelvin Ave	Russ/G'v Rd	M'lbrne Ave	Belsize Ave	Spence Ave	Plim'stin Rd	Whit'lon Rd	G.Lanes		COMBINED
										Shops	Flats	
Longer hours: best extended to evenings and/or weekends	0	0	1	5	4	0	0	0	0	0	0	10
Not needed / mostly a money-making exercise	0	0	1	1	0	1	0	2	1	0	0	6
Cycle hangars: not needed, obstructive, take up space	0	0	1	1	0	0	0	2	2	0	0	6
Flats above shops: unfair if permits not sold to flats	0	0	0	0	0	0	0	0	0	0	5	5
Permit costs: should be free, cheaper, one-price-any-vehicle	0	0	1	0	1	1	0	1	0	0	0	4
Yellow lines at driveways: unfair, reduce parking capacity	0	0	1	0	0	0	1	0	2	0	0	4
Bad for my street: new controls not helpful in my road	0	0	0	0	0	0	0	2	2	0	0	4
Shorter hours: shorter hours would achieve same benefits	0	0	0	0	0	0	1	1	1	0	0	3
Customer parking: undue restriction on customer parking	0	0	0	0	0	0	0	0	0	2	0	2
Restricts visitors: makes it harder to visit frail residents	0	0	0	0	1	0	1	0	0	0	0	2

4.7 **Concern 1:** The controlled hours should be longer to offer better deterrent to external parking in the evenings, associated with Haringey residents to the south of the zone and restaurant customers etc. to the east of the zone.

4.7.1 **Response 1:** Given the fact that different parking demands apply across the zone, the chosen controlled hours need to represent a compromise that works best overall and cannot be expected to offer a perfect solution for every street.

- 4.7.2 At the initial consultation stage weekday only controls were favoured to those covering weekends. Furthermore, the three-hour option received nearly twice as many votes as all the longer control period options put together. It can be seen in the table at 3.2 above that Melbourne Avenue and Russell Road did not deviate from this pattern. The cheaper permit charges (halved relative to all-day zones) will likely have been a factor in these preferences and should not be overlooked.
- 4.7.3 Whatever hours are selected, zonal controls should prove effective at removing all-day commuter parking across the area. They may also prompt drivers inside and beyond the zone to dispose of, or move off-street, vehicles they own but seldom use. Hence a notable reduction in parking pressure should result, even under a shorter controlled period.
- 4.7.4 The matter of Haringey overspill parking is considered as follows. While it is true that the proposals do not prohibit overnight storage of cars and vans in Russell Road, nor do the Haringey controls prohibit this activity in their own streets. The three hour control period matches the combined hours of the two zones to the south. This should interrupt the habit of drivers in adjacent zones storing vehicles within the Bowes Park area, while parking spaces nearer their own homes remain vacant. At whatever hour a Haringey-based driver returns home – or plans to depart - they will not find controls applying in their own streets, when none apply in the Enfield zone. Logically, this will limit the temptation to park within the proposed Enfield zone for those in Haringey still choosing not to buy permits.
- 4.7.5 The matter of customer parking is considered as follows. The proposals should prove effective at deterring employees of premises on Green Lanes from occupying parking space in the side streets across the day. The intention, as with any other commuter parking, is that more sustainable travel options will become more attractive for these daily journeys. Limiting short stay parking activity for customers visiting stores on Green Lanes is not a key aim of the scheme, but is an unavoidable consequence during the controlled period. The overall effect of the proposals should improve the resilience of the side streets to residual customer parking activity, bearing in mind that outside the control period residents retain the facility to park across their own dropped kerbs.
- 4.7.6 For these reasons, officers believe there is a strong case to proceed with the suggested hours, rather than attempting, likely in vain, to find an option that commands greater overall support. However, implementing the proposals on an experimental basis will facilitate a further period of feedback on whether the proposals have proven effective.
- 4.8 **Concern 2:** The scheme is a money-making exercise, not a genuine effort to benefit residents.

4.8.1 **Response 2:** Section 3.2 sets out the previous - and unsolicited - interest in zonal parking controls arising from the community. It also indicates the good levels of support found upon seeking the views of residents in summer 2018, having advised them of the permit costs and the likely details of the parking scheme. An objection founded on the idea that the scheme is being imposed upon the community, rather than seeking to respond to the wishes of a clear majority within it, is therefore lacking in any validity.

4.9 **Concern 3:** The proposed cycle hangars are not needed, or will take up too much space or be obstructive.

4.9.1 **Response 3:** Under the consultation exercise of summer 2018 responses stating the cycle hangars were a good idea overall outnumbered those stating they were a bad idea by around 2-to-1. Explicit comments opposing the cycle hangars tended to come from those whose homes were immediately adjacent. Notes featuring on Appendix A, the revised proposals drawing, explain why some hangars were then deleted from more contentious positions and relocated to conveniently located build-outs, and why an additional hangar was proposed in Russell Road in response to a demand for additional cycle parking spaces.

4.9.2 The evidence from the pre-existing cycle hangar placed in Russell Road suggests that, when provided, the facilities will be well used in this area (where many homes lack garages etc.) and that the hangar does not obstruct traffic nor suffer vehicle damage or vandalism. The image below is provided in response to a specific objection that a hangar on Whittington Road will hinder driveway access. It can be seen that hangars extend no further into the road than a parked car.

4.9.3



The two hangars retained near driveways will be offset a typical length of 0.8m from the flush kerbs; the same offset relating to parking bays is only 0.3m. Hence the hangars pose no more hindrance to driveway access at the crossovers in question than parked cars do elsewhere.

4.9.4 The Council is seeking to encourage more cycle ownership and usage across the community to improve transport capacity, reduce harmful emissions, improve levels of physical activity, tackle traffic domination and lower domestic transport costs. It is therefore wholly appropriate, and in the wider interests of the community, to provide facilities to stimulate and meet future cycling demand, not merely match current levels of demand. Hangars can be relocated to other positions if found to be little used.

- 4.9.5 A note on Appendix A sets out that the proposals devote 97% of the available kerbsides within the zone to residential parking, with pre-existing disabled bays accounting for 2% and cycle hangars less than 1%. To argue that the cycle hangar proposals are excessive in removing space for the car is clearly unreasonable.
- 4.9.6 The argument that no provision should be made to facilitate cycling because drivers are already liable for certain road costs that cyclists are not is equally invalid. There is a strong public health imperative to switch car trips to walking or cycling, not the other way around; vehicle taxation is based on emissions (which do not apply to walking and cycling); neither vehicle taxation, MOT nor car insurance payments afford a driver any explicit entitlement with regard to parking; and road maintenance is paid for out of general taxation at a uniform level however many or few trips a household makes by car or by cycle. Furthermore many people who make trips by cycle also drive cars. When opting to drive they are contributing to traffic domination, poor air quality, and congestion, whereas when opting to cycle they are not.
- 4.10 **Concern 4:** It is unfair to exclude residents of the flats above the shops on the western side of Green Lanes from buying permits when they have little alternative parking space, have had little input into the proposals and have historically used the adjacent side roads as domestic parking space.
- 4.10.1 **Response 4:** It is understood that the opposition to the proposals from these five households relates more to the flats being excluded from permit sales, not to the idea of the zone being created per se. A key principle behind introducing zonal parking controls is to improve the parking options of residents, who have limited choice as to where they store domestic vehicles, relative to commuters, who have many options available when making their daily journeys. The intention is not to favour one group of residents over another, when each has limited parking options.
- 4.10.2 For this reason, while it would be typical to sell zonal permits only to homes fronting the streets where the bays will be located, there is a strong case to extend the zonal coverage to the homes in question. The drawing at Appendix B shows the revised zone boundary. Implementing the proposals on an experimental basis allows for this amendment prior to further review of public feedback.
- 4.11 **Concern 5:** Permits should be free, less costly or be offered at a flat-rate for any vehicle size, rather than penalising owners of larger vehicles.
- 4.11.1 **Response 5:** For the sake of consistency and fairness, zonal permit prices are standardised across all twenty of Enfield's across-the-week resident parking zones. The ascending price based on engine size

reflects the tendency for vehicles with larger engines to occupy more space. The pricing regime was decided by a previous Council decision on the matter when prices were last reviewed in 2016 and was subject to the normal approval and scrutiny procedures. It would not be appropriate to deviate from the regime in this instance and reviewing it falls outside the scope of the proposals under discussion.

- 4.11.2 It is typical across London that residents are asked to pay for permits for such schemes to match the cost of scheme administration and additional enforcement activity. Government advice directs councils to ensure their parking control accounts are self-financing. Permit prices are therefore set, borough wide, with the aim of breaking even.
- 4.11.3 The prevailing convention in the UK is that any driver enjoys a freedom to park at the side of a public road. Curtailing this freedom to favour residents can be viewed as an additional service to those residents, not one of the Council's core duties. Similarly, the zonal controls can be viewed as an intervention to aid the convenience of local drivers, but offer little direct benefit to the roughly one third of households that do not own a car. It is appropriate to ask those who benefit most from the intervention to help pay for it.
- 4.11.4 The annual permit price for a small hatchback in the Bowes Park CPZ will be £55, which equates to only around £1 per week. This is dwarfed by many other weekly transport costs people typically incur like oyster fares or fuelling their cars. The Council continues to receive high numbers of requests from residents each week asking for permit controls to be introduced in their streets. But the Council hardly ever receives requests to have existing zonal controls removed or shortened. This suggests that residents will tend to recognise, once provided, the good value offered by parking permit schemes.
- 4.12 **Concern 6:** Single yellow lines at crossovers are unfair on residents who could previously park across their own dropped kerbs and will reduce overall parking capacity.
- 4.12.1 **Response 6:** Enfield Council is consistent in its approach, across all 20 of its parking zones, in marking the gaps between formal parking areas with single yellow lines. This matches the Department for Transport's regulations on the detailing of parking zones, as they stood in late 2018 when the most recent design review was undertaken.
- 4.12.2 The single yellow line prohibits parking by any driver during the control period but does not stop residents parking across their own dropped kerbs at any other time. It provides clarity to the visiting driver on where parking may occur within the zone and guards against nuisance parking being displaced from bays onto crossover locations during the control period. For those in the habit of parking across their own dropped kerbs, it can be viewed as one of the drawbacks that come with zonal parking controls. The need for single yellow lines has been

made explicit in the consultation material and residents have been able to take this into account when deciding whether to support or oppose the proposals.

4.12.3 The ability of a householder to park across their own dropped kerbs, to the exclusion of other drivers, is a side-effect of having a crossover. The householder enjoys no explicit right to park at the dropped kerbs. In the day, the zonal controls will reduce the number of vehicles being parked in the area by commuters etc, bringing additional capacity. Overnight and at weekends, when domestic parking demand is highest, the controls are not in effect and residents retain the facility to park across their dropped kerbs. For these reasons the inconvenience that will be posed to residents with crossovers is only limited, and the reduction in on-street parking capacity is likely to be more theoretical than reality.

4.13 **Concern 7:** Having off-street parking areas and more numerous crossovers than other streets in the area, the proposals are not suitable for Palmerston Road and Whittington Road.

4.13.1 **Response 7:** Palmerston Road and Whittington Road, whilst having a higher mix of homes with crossovers than the other streets, have a total of around 65 homes without off-street parking. These households should feel the same benefits from the proposals as the equivalent households in the other streets; namely less competition from commuters etc. for convenient on-street parking spaces.

4.13.2 The households that have driveways are buffered from the drawback of needing to purchase permits. The mix of homes with and without crossovers found when moving along each street rules out the option of only incorporating certain sections under the proposals. This arrangement would risk confusing the unfamiliar driver. The remaining choice is, thus, either to include each street entire, or leave each out.

4.13.3 Each street has returned more support than opposition to the parking proposals across each of the two consultation exercises. Excluding them would be likely to focus more non-residential parking activity onto those sections of kerbside between crossovers, to the particular detriment of the 65 households without off-street parking. Given both of these points, the fairest response is to retain the streets within the proposals.

4.13.4 Section 4.12 rebuts the idea that single yellow lines at crossovers will cause a notable reduction in overall parking capacity. A recent late-evening survey of Palmerston Road found very few vehicles parked across dropped kerbs.

4.14 **Concern 8:** The controlled period is too long. It doesn't need to encroach upon the lunchtime visitor period. What data supports the

suggested control period? The Haringey sections of road are as fully parked as the Enfield ones.

4.14.1 **Response 8:** The phenomenon of Haringey residents parking in Enfield streets does not need data to support it, as it has been a regular cause of complaint by residents across previous years.

4.14.2 The three hour control period matches the combined hours of the two zones to the south; one operating from 10am to midday, the other from 11am to 1pm. Its selection is based, not on data, but on the logical argument that this should interrupt the habit of drivers in adjacent zones storing vehicles within the Bowes Park area, while parking spaces nearer their own homes remain vacant.

4.14.3 At whatever hour a Haringey-based driver returns home - or plans to depart - they will not find controls applying in their own streets, when none apply in the Enfield zone. Logically, this will limit the temptation to park within the proposed Enfield zone amongst those Haringey residents still choosing not to buy permits. The controls may also prompt drivers inside and beyond the zone to dispose of, or move off-street, vehicles they own but seldom use. Hence a notable reduction in parking pressure should result. Section 4.7 considers the matter further in response to the opposing objection that the controlled period is too short.

4.15 **Concern 9:** Direct consultation with the shopkeepers on Green Lanes should have taken place. The limitation on customer parking in the side roads will be damaging for trade. It will also affect staff parking.

4.15.1 **Response 9:** The Council's consultation activity focussed on those premises directly fronting the area of interest. The kerbsides at the Green Lanes end of each of the adjoining side roads are already given over to formal customer parking and loading bays. By implication the community expects that the kerbsides further west should, primarily, be serving domestic parking activity.

4.15.2 Although not receiving leaflets about the proposals directly, it might have been expected that news of the proposals would have reached traders in summer 2018 via street posters erected in Green Lanes and other nearby roads; by information appearing on the Council's website and within online community forums; via the regular ward meetings arranged by local councillors; or via social media activity and general word-of-mouth.

4.15.3 The future limitation on customer overspill parking in the side roads would only apply on weekdays and for the three hour controlled period. This should be viewed as a reasonable compromise given that the nuisance factor of unregulated customer parking has been a strong theme within the community's requests to have the controls introduced. The restrictions that will come into place will mirror those

that apply further south on Green Lanes, which is bordered by the pre-existing Haringey parking zones. The fact that the stores on the main road in Haringey continue to appear viable, challenges the prediction that those stores in Enfield will prove otherwise.

4.15.4 All day parking by shop workers falls under the category of commuter parking activity that the proposals are intended to interrupt. Making their daily journeys by car, and parking as close as possible to the stores, is the least helpful option available to such commuters and there is no particular reason to make allowance for it persisting.

4.16 **Concern 10:** The parking controls will deter visits to residents living inside the zone, including those who have care needs etc.

4.16.1 **Response 10:** Provision exists for registered carers to apply for permits to facilitate visits to clients within Enfield's parking zones. In the case of the visiting driver being a blue badge holder, they can park without charge within any of Enfield's parking zones. Neither the parking bays nor the single yellow lines prohibit cars stopping briefly outside a home to pick-up or drop-off.

4.16.2 For the non-disabled person who makes regular visits to friends or family members within the zone the following options are available: a) make the trip by walking, cycling, public transport and so forth; b) make the trip by car but timed to avoid the 3 hours of the controlled period; c) make the trip by car during the controlled period but park outside the zone; d) make the trip by car during the controlled period and use a visitor card to allow parking within a bay. Visitor cards cost residents 75p per card with a limit of 50 cards per year being sold to any household.

4.16.3 The one third of households in the borough who do not own a car will include a great many people who are older, or who have mobility restrictions, or who have young children to transport, or who make visits to vulnerable people and so forth. For such people the experience of making journeys without the facility to travel by car and park for free immediately outside the destination will be routine. The complaint that the proposed parking controls place undue restriction on visitors should be considered in that context.

5. OTHER POINTS OF OBJECTION

5.1 Any points of objection not covered above are set out in the following sections. These are grouped under four themes: (a) future parking capacity; (b) the validity of the consultation exercise; (c) issues beyond the zone boundary; and (d) other matters.

(A) Future Parking Capacity

- 5.2 **Objection A1:** The need for yellow lines at driveways will, in reducing parking capacity, bring chaos to Spencer Avenue. The objections set out at the previous stage should not be ignored.
- 5.2.1 **Response A1:** The proposals for Spencer Avenue were amended to assuage some of the concerns raised previously. Section 4.12 covers the residual concerns about yellow lines at crossovers. The effects in Spencer Avenue are not likely to warrant the description “chaos”, but proceeding on an experimental basis leaves scope for further amendments. The notes on the drawing supplied at the statutory consultation stage were explicit in advising Spencer Avenue residents to consider the proposals anew. With only two objections being reaffirmed, and five households in support, it is reasonable to assume that the majority view is now that Spencer Avenue is better served by inclusion than by being left out.
- 5.3 **Objection A2:** Yellow lines at dropped kerbs will reduce parking capacity in Whittington Road. Yellow or white lines at crossovers should extend no further than the flush part of the kerb. Speeding is a bigger problem than parking on Whittington Road.
- 5.3.1 **Response A2:** Section 4.12 explains why the loss of effective parking space due to single yellow lines is more likely to prove theoretical than a reality. The Council does not guarantee, by any of its zonal proposals, that a convenient domestic space will always be available when sought; rather it aims to maximise domestic parking opportunities within the space available by deterring other forms of parking activity. Bays within the zone are intended to be treated as communal amongst permit holders. On occasions when vacant spaces are not found near the home, residents can seek spaces in adjacent streets.
- 5.3.2 The drawing states the design principle that bays will be offset 300mm beyond the flush part of crossovers either side, which represents a reasonable compromise on the issue of driveway turning room versus public parking space.
- 5.3.3 The issues of speeding and road safety fall outside the scope of these proposals. However, Whittington Road already benefits from traffic calming and its recent road safety history is good, with no injury collisions having been recorded within the Enfield section in the last three years.
- 5.4 **Objection A3:** The proposals apply single yellow lines to gaps where previously small cars and motorcycles could park, and at a dropped kerb to which the owner has blocked with a bollard the corresponding frontage parking area; a needless reduction in parking space results.
- 5.4.1 **Response A3:** The Department for Transport has confirmed that these parking bays cannot be marked at lengths less than 4.5m. The

drawing is explicit in showing locations where, under this regulation, bays can no longer be proposed. However, outside of the controlled period (notably in the evenings when domestic parking space is most heavily used) drivers continue to have the facility to make use of smaller gaps at their own discretion and park across their own dropped kerbs.

5.4.2 It would be unwise to treat the kerbside by the unused crossover as a legitimate spot to introduce a parking bay. The Council could become liable to amend the arrangement at any time, should the current, or any future, owner decide to remove the bollard and resume their vehicular access rights.

5.5 **Objection A4:** The Council's decision to allow sub-division of homes exacerbates the issue of parking pressure.

5.5.1 **Response A4:** The greater freedom to subdivide homes relates to a change in national policy and thus falls outside the Council's direct control. The reality is that the population of Enfield is set to continue growing across years to come, which will increase road pressure in all forms on a borough-wide basis. Discouraging commuters from driving into congested residential areas to seek free parking, when they could choose more sustainable modes of transport, will help in this regard.

(B) The Validity of the Consultation Exercise

5.6 **Objection B1:** The consultation was skewed and lacking transparency as the financial implications were not explained.

5.6.1 **Response B1:** Untrue: the cost of permits was made clear within the scheme information at both stages of consultation. The majority responding in support of the scheme are making an informed choice.

5.7 **Objection B2:** Not every home received a leaflet, explaining low response rates in streets like Whittington Road and Palmerston Road.

5.7.1 **Response B2:** Leaflet delivery was arranged via a reputable distribution company, as would be typical for such schemes. The overall response rate and the spread of those responses offers confidence that good coverage was achieved across both consultation exercises. Lower response rates in Palmerston Road can be explained by many homes off this street being flats that have designated rear parking areas, hence fewer residents will feel the proposals have a direct impact upon them.

5.8 **Objection B3:** The consultation exercise did not offer enough assistance to those without English as a first language. Seeking feedback by going door-to-door would have been helpful. Not everyone has access to the internet; offline methods of response should be accommodated.

- 5.8.1 **Response B3:** The Council does not normally send out letters in alternative languages. Recipients without English as a first language should seek any assistance they need to understand letters they receive from the Council, and indeed from any other agency. The plan provided with the leaflet makes plain at a glance that the letter concerns a parking zone, with the boundary being clearly drawn.
- 5.8.2 The reason officers do not seek community views by calling door-to-door, aside from this being intrusive, is to avoid accusations that they are attempting to exert undue influence one way or another on the community response to parking proposals. The leaflet made clear that comments could be submitted by post, for those not wishing to go online, and provided a telephone number for anyone needing further advice.
- 5.9 **Objection B4:** Direct consultation should have taken place with residents of the flats above shops on the adjoining sections of Green Lanes.
- 5.9.1 **Response B4:** Although not receiving leaflets about the proposals directly, it might have been expected that news of the proposals would have reached these residents in summer 2018 via street posters erected in Green Lanes and other nearby roads; by information appearing on the Council's website and within online community forums; via the regular ward meetings arranged by local councillors; or via social media activity and general word-of-mouth.
- 5.9.2 With little interest arising from this group the policy of delivering leaflets only to homes inside the zone was carried through to the statutory consultation exercise. A direct letter drop was made in February 2019 to homes adjacent to the zone (on Green Lanes and Bowes Road) but delayed delivery meant this was only received 5 days in advance of the stated deadline for comments. An extension was offered to anyone making contact to query this.
- 5.9.3 No responses arose from Bowes Road. For Green Lanes, it appears that there was little awareness among this group, prior to the letter drop of February 2019. Section 4.10 sets out the intended method of remedying this situation.

(C) Issues Beyond the Zone Boundary

- 5.10 **Objection C1:** Creating the zone but excluding the streets west of the railway line will displace unwanted parking onto these streets.
- 5.10.1 **Response C1:** Section 3.2 sets out the community interest and petitioning that prompted the current proposals. No such petitions have been submitted from streets west of the zone, but similar proposals could follow were these to arise. The group of streets within

the proposals benefit from natural enclosure, being bounded by the railway line, the North Circular Road, Green Lanes and the borough boundary, which supports the decision to draw the boundary as shown. The potential drawbacks of parking being displaced to the west is not deemed sufficiently great to warrant denying zonal controls to those streets who have petitioned for them and where it can be inferred that the issues are more pronounced.

5.11 **Objection C2:** The proposals will reduce customer parking space for the shops on Middleton Road.

5.11.1 **Response C2:** The premises on Middleton Road, which falls in Haringey, are somewhat distant from the boundary of the proposed zone. Local customer parking provision exists outside the stores, with Haringey's zonal controls applying further out. Given that the neighbouring authority has not found it necessary to assign residential kerbsides in the streets immediately adjacent as overspill customer parking, it is not clear why Enfield Council would need to do so in its own streets further removed.

(D) Other Matters

5.12 **Objection D1:** The proposed double yellow lines at the end of Granville Road reduce parking space and have never been needed hitherto to regulate parking arrangements amongst neighbours.

5.12.1 **Response D1:** The introduction of the zonal parking measures requires the Council to mark formal parking bays where spaces are suitably designated for public parking and single yellow lines (as at driveways) wherever limitations apply. The most efficient layout in Granville Road is to retain the existing disabled bay at the end of the cul-de-sac, mark a parallel resident bay either side, and add double yellow lines immediately beyond these to ensure access in and out is maintained. In placing a marking indicating that the two outer spaces are suitable for public parking, the Council becomes obliged to add the yellow lines to deter obstruction. Aside from the lone objector, it is not known how comfortable other drivers in the street are with the current, consensual approach of blocking in other vehicles. The principle that all bays are available communally amongst permit-holders further reduces the suitability of such informal arrangements going forward.

5.13 **Objection D2:** A resident of Russell Road objects to motorcycle permit prices being equivalent to those of cars.

5.13.1 **Response D2:** Permits need to be purchased for motorcycles where they will be left in permit-holder bays during the controlled period. They fall under the same banding as the smallest cars. While they generally occupy less space than a car, they might still be left occupying a small bay that would otherwise be left vacant for a car, so it is appropriate that a permit fee applies.

- 5.13.2 In response to specific interest from Russell Road, a motorcycle bay accommodating up to 4 bikes is proposed in this street. These spaces will not fall under permit control but will be available, free of charge, to any motorcycle user.
- 5.14 **Objection D3:** The works to introduce the scheme will cause danger, inconvenience and mayhem.
- 5.14.1 **Response D3:** The description is overstated for the sort of works (mostly just signs and road markings) required in this case, which tend not to be particularly disruptive to traffic or adjacent households. The majority view across the community is that the proposed changes are welcome, and this point does not feature as a recurring concern.
- 5.15 In light of the comments and objections received, the revised scheme boundary is indicated on the plan attached as Appendix B.
- 5.16 Proceeding to implementation of the revised proposals under experimental powers is recommended. This will allow the impact of the scheme to be monitored and would easily allow changes to be made to the scheme if necessary.
- 5.17 Under experimental powers, prior notification occurs with statutory consultees such as the emergency services but not with the community, who will have the opportunity to comment on the scheme once it is in place.

6. ALTERNATIVE OPTIONS CONSIDERED

- 6.1 **Do nothing** – Doing nothing fails to address the long-standing concerns of residents who have been proactive across recent years in seeking permit controls to offer residents a fairer chance of finding convenient parking space in their street relative to commuters and others. It is acknowledged that increasingly unfavourable local parking patterns have been a prompt in the community interest that has arisen. Given the good levels of support demonstrated, it would be unsatisfactory – and out of line with the typical response in other neighbourhoods - for no intervention to follow.
- 6.2 **Undertake further consultation on the amended zone boundary** – The statutory consultation provided definitive information on the homes that would be eligible for permit sales. The public has not had the opportunity to comment on the revised boundary shown at Appendix B. The option of undertaking further consultation on the issue has been considered, but imposes further delay on a scheme being implemented. The issue is not anticipated to raise significant concerns. The option of proceeding under experimental powers is therefore likely to prove the most suitable.

7. REASONS FOR RECOMMENDATIONS

- 7.1 Proceeding with the proposals alleviates the long standing concerns about domestic parking raised across the zone, whilst minimising the drawbacks.
- 7.2 Recognising that a complex set of factors apply in this case – including doubts from some streets on the suitability of the chosen control hours - introducing a scheme under experimental powers allows the controls to be trialled before deciding whether it should be modified, made permanent or withdrawn. It also allows the extension of the zone boundary, covering the adjacent flats on Green Lanes, to be incorporated ahead of further consultation.

8. COMMENTS FROM OTHER DEPARTMENTS

8.1 Financial Implications

- 8.1.1 The estimated cost for implementing the parking controls is £20,000. The funding of the scheme will be met from the 2019/2020 Local Implementation Plan TfL allocation.
- 8.1.2 Once approved by Transport for London, expenditure will be fully funded by means of direct grant from TfL, hence no costs fall on the Council.
- 8.1.3 The release of funds by TfL is based on a process that records the progress of works against approved spending profiles. TfL make payments against certified claims that can be submitted as soon as expenditure is incurred, ensuring that the Council benefits from prompt reimbursement of any expenditure.

8.2 Legal Implications

- 8.2.1 Section 122 of the Road Traffic Regulation Act (RTRA) 1984 places a duty on the Council to secure, as far as reasonably practicable, 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'. The proposed changes to the waiting restrictions are in accordance with the discharge of this duty.
- 8.2.2 Section 9 of the RTRA enables traffic management orders to be made on an experimental basis and remain in force for up to 18 months.

- 8.2.3 Section 45 of the RTRA 1984 provides authority for the Council to designate parking places on the highways and section 46 enables charges to be introduced for vehicles left in a parking place.
- 8.2.4 Section 55 of the 1984 Act sets out financial provisions relating to designation orders, requiring an account to be kept of income and expenditure in respect of parking places. Any surplus can only be spent on the items specified in s55(4) (a)-(f).
- 8.2.5 The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 prescribe the procedure to be followed in making an experimental traffic management order. Any written objections or representations received during the period of the experiment must be conscientiously considered before deciding whether the order should be made permanent.

Key Consultation Principles

- 8.2.6 The public law duty to consult is one aspect of the principle that public authorities should exercise fairness in the exercise of their functions.
- 8.2.7 Where the duty to consult is imposed by statute, as referred to in 8.2.5 above, then the procedure to be adopted is also likely to be prescribed by the legislation.
- 8.2.8 The governing principle is proportionality of the type and scale of consultation to the potential impacts of the decision being taken.
- 8.2.9 Consultation should occur when proposals are at a formative stage. This statutory consultation process was undertaken in February 2019.
- 8.2.10 Consultations should give sufficient reasons for any proposal to permit intelligent consideration.
- 8.2.11 Consultations should allow adequate time for consideration and response.
- 8.2.12 There must be clear evidence that there has been consideration of the consultation responses, or a summary of them, before the decision about the Traffic Management Order in the Bowes Park area is made.
- 8.2.13 Consultation should take place when policies can be influenced and views genuinely taken into account. This will often be at the earliest opportunity but it may also be appropriate to consult at varying points in a decision-making process. Engagement should be in different ways at varying stages if necessary and there will need to be justification on the approach undertaken.
- 8.2.14 Evidence that careful consideration has been given to which option to pursue in the light of the consultation responses, will support a public

authority's position if a challenge arises to its decision. There may also be circumstances where new information comes to light which requires the consultation process to be re-opened.

8.2.15 Consultations should provide sufficient information to ensure the process is fair.

8.2.16 Consultation is not required on every possible option, although every viable option ought to be included.

8.2.17 There should also be regard to the form of the consultation in the light of the characteristics of the consultee group and public authorities must have due regard with the public-sector equality duty under the Equality Act 2010.

Summary on consultation principles

8.2.18 Public authorities should give detailed thought to what length of consultation and what methods of consultation would be appropriate in all the circumstances. The underlying principle of fairness should be at the forefront of the process. Public authorities should expect any decisions that they make to come under scrutiny and should ensure that they have a clear set of reasons for structuring and conducting the consultation in the particular way they have chosen, having regard to the extent to which the views of those potentially eligible to be consulted have already been sought through public engagement

8.2.19 Pursuant to section 63 of the Road Traffic Regulation Act 1984 the Council has power to provide parking places and to provide in roads or elsewhere, stands, racks or devices for securing, bicycles.

8.2.20 The recommendations contained within the report are in accordance with the Council's powers and duties as the Highway Authority.

8.3 Property Implications

None identified

9 KEY RISKS

9.1 The key risks relating to the scheme are summarised below together, where relevant, with steps taken to mitigate the level of risk:

Risk Category	Comments/Mitigation
Operational	Risk: Disruption during implementation. Mitigation: Traffic management arrangements will be limited and designed to minimise disruption for local residents. Roadworks will also be co-ordinated to take account of other work in the area.

Risk Category	Comments/Mitigation
Financial	Risk: Insufficient funds/cost escalation. Mitigation: Funding from TfL has been allocated to the scheme and the estimated implementation cost falls within the available budget. Controls are in place to ensure that order is not placed until price is known and budget confirmed.
Reputational	Risk: Opposition to scheme from some local residents/ organisations. Mitigation: Consultation has been undertaken to take into account views of local residents. Introducing the scheme experimentally will give residents a further opportunity to provide their views.
Regulatory	Risk: Failure to comply with statutory requirements. Mitigation: Scheme being delivered by experienced designers, with support from TMO experts.

10 IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD

10.1 Good homes in well-connected neighbourhoods

The additional parking controls will improve the amenity for local car-owning residents by ensuring that demand for on-street parking is rebalanced in their favour.

10.2 Sustain strong and healthy communities

The new cycle parking will enable people with limited storage space to own cycles and engage in active travel.

10.3 Build our local economy to create a thriving place

The scheme retains existing loading provision and short-stay parking bays to support local businesses and allows continued use of nearby streets as informal overspill parking outside of the three hour control period.

11 EQUALITIES IMPACT IMPLICATIONS

11.1 A predictive equality impact assessment has been carried out and is attached as Appendix C. This concludes that the proposal will have a neutral impact on all protected groups, with a possible positive impact on disabled drivers, who may find it easier to find parking places once the new controls have been implemented.

11.2 The assessment also considered the impact of the scheme on socio-economic inequality. Low income people could be negatively affected by the scheme as those that own a vehicle would need to purchase a

permit to park in the zone during the controlled hours. Permit costs are based on engine size but would be £110 per year for a typical 1.0-1.6L vehicle. This negative impact needs to be weighed against the other benefits of the scheme and, whilst not convenient, could be avoided by parking elsewhere.

12 PERFORMANCE AND DATA IMPLICATIONS

The scheme will have limited impact on performance when considered in isolation. However, the scheme will contribute to a number of key targets, including those relating to improving the health and increasing the use of sustainable means of travel.

13 PUBLIC HEALTH IMPLICATIONS

Introducing the CPZ is likely to improve the health of the public as it will encourage more active transport through the discouragement of motorised vehicle use. Limiting the parking during the day to those with resident parking permits encourages the residents to leave their cars at home while attracting less traffic, thus less motorised travel and less pollution. Public health benefits are likely to arise from both an increase in physical activity and an improvement in air quality.

Background Papers

No background papers have been used in the preparation of this report.

Appendices:

- A – Scheme Drawing Circulated for Statutory Consultation
- B – Scheme Drawing Showing Amended Zone Boundary
- C – Equality Impact Assessment