

## **BALLINGER WAY AND WAXLOW WAY, NORTHOLT - PETITION OBJECTING TO THE PROPOSED “AT ANY TIME” WAITING RESTRICTIONS**

<b>Cabinet Member</b>	Councillor Keith Burrows
<b>Cabinet Portfolio</b>	Planning, Transportation and Recycling
<b>Officer Contact</b>	Hayley Thomas, Planning, Environment, Education and Community Services
<b>Papers with report</b>	Appendix A

### **HEADLINE INFORMATION**

<b>Purpose of report</b>	To inform the Cabinet Member that residents of Ballinger Way and Waxlow Way have objected to the proposed “at any time” waiting restrictions within their road.
<b>Contribution to our plans and strategies</b>	The request can be considered in relation to the Council’s strategy for on-street parking controls.
<b>Financial Cost</b>	There are none associated to the recommendation of this report.
<b>Relevant Policy Overview Committee</b>	Residents’ and Environment Services.
<b>Ward(s) affected</b>	Yeading

### **RECOMMENDATIONS**

**That the Cabinet Member:**

- 1. Discusses with petitioners and listens to their concerns regarding the proposed “at any time” parking restrictions in their road.**
- 2. Ask officers to include the petition request and the outcome of discussions with petitioners in the forthcoming report incorporating all representations received from statutory consultation on the proposed “at any time” waiting restrictions in Ballinger Way and Waxlow Way.**

### **INFORMATION**

#### **Reasons for recommendation**

Following statutory consultation on parking proposals, all comments received must be considered by the Council before a final decision is made. A report will subsequently be drafted

detailing these comments which can include this petition together with the outcome of discussions with the Cabinet Member at the petition evening.

### **Alternative options considered / risk management**

These will be discussed with petitioners.

### **Comments of Policy Overview Committee(s)**

None at this stage.

### **Supporting Information**

1. A petition with 32 signatures has been received from residents of Ballinger Way and Waxlow Way objecting to the proposed “at any time” restrictions. The petition was signed by 27% of households in Ballinger Way and 38% of households in Waxlow Way.
2. Ballinger Way and Waxlow Way both form part of Grand Union Village development. Grand Union Village is a modern development which falls partly within the London Borough of Hillingdon and partly with the London Borough of Ealing. Both of these roads are situated at the southern end of the development and are the only adopted roads in the development which are within the London Borough of Hillingdon. Their location is indicated on the plan attached as Appendix A.
3. Both Ealing and Hillingdon have received requests from residents, Trinity Estates (who is the managing agent for Grand Union Village), and Richard Armitage (the development’s transport consultant) for parking restrictions to be introduced in Grand Union Village to remove obstructive parking which takes place on footways and junctions on the development. The roads on the development are, in the most part, fairly narrow and the emergency services and refuse vehicles sometimes find access difficult. This results in many vehicles being parked partly on the footway which restricts access for wheelchair users, mobility scooters and parents with pushchairs.
4. In March 2010, a survey was undertaken by Trinity Estates and Richard Armitage Transport Consultancy to seek the views of residents on possible parking restrictions in the village. From the responses received, 67% of residents indicated that parking restrictions were required. Other concerns raised during the survey highlighted concerns with vehicles parking close to junctions, and parked vehicles causing an obstruction in both the footway and the carriageway, thereby forcing people to walk in the road.
5. Following further investigation and consultation with local Ward Councillors and colleagues at Ealing Council, proposals were developed for “at any time” waiting restrictions to prohibit obstructive parking on Ballinger Way and Waxlow Way but to maintain some areas of unrestricted parking. Statutory consultation was conducted over a three week period from 8<sup>th</sup> – 29<sup>th</sup> June 2011 where residents were given the opportunity to inspect plans of the proposed scheme and were asked for their comments. As part of the consultation, residents were also informed that it was the Council’s intention to carry out enforcement against vehicles parking on the footway, which was made an offence in 1974 by the Greater London Council. During this period the Council received a number of responses, including a petition objecting to the proposed scheme.

6. In a covering letter to the petition, the organiser raised a number of concerns residents have with the proposed scheme. Firstly, they indicate that an independent consultation undertaken by Trinity Estate to establish residents' views on the parking issues in the Village had a poor response rate and did not represent the views of the residents. They also highlight that none of the surrounding developments have parking or waiting restrictions and to introduce such measures will limit the available on-street parking, forcing residents to park outside the development which, in their opinion, would expose their vehicles to theft and vandalism. The petitioners suggest that the proposed scheme in its current form will devalue their properties and a better option would be to introduce "at any time" restrictions at the junctions and allow parking on the footway in designated parking places.

7. It is not clear if petitioners are asking for the proposed scheme to be amended or for the proposals to be deferred altogether. Therefore, it is recommended that the Cabinet Member discusses with petitioners their concerns to determine a possible course of action and incorporate this in the forthcoming report outlining all representation received from residents of Ballinger Way and Waxlow Way during statutory consultation.

### **Financial Implications**

There are none associated with the recommendations to this report.

### **EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES**

#### **What will be the effect of the recommendation?**

To allow the Cabinet Member to fully understand the petitioners' concerns with the proposed parking scheme. The petition can be considered in relation to all other representations received from statutory consultation for a proposed parking scheme.

#### **Consultation Carried Out or Required**

Statutory consultation was carried out for a three week period between 8<sup>th</sup> – 29<sup>th</sup> June 2011 inviting residents and members of the public to object to the proposals or make comments or representations.

### **CORPORATE IMPLICATIONS**

#### **Corporate Finance**

None at this stage.

#### **Legal**

The Council's power to make orders imposing waiting restrictions are set out in Part 1 of the Road Traffic Regulation Act 1984. The consultation and order making statutory procedures to be followed in this case are set out in The Local Authorities' Traffic Orders (Procedures) (England and Wales) Regulations 1996 (SI 1996/2489).

Section 122 of the Road Traffic Regulation Act 1984 (the "Act") places a statutory duty on the Council to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians).

In considering whether the duty has been met, the Act states the Council shall take into account certain factors which include:

- the importance of allowing the passage of public service vehicles and the safety and convenience of persons using such vehicles;
- the desirability of securing and maintaining reasonable access to premises;
- the desirability to preserve or improve the amenities of the areas through which the roads run; and
- any other matters appearing to the local authority to be relevant.

In considering the consultation responses, the Council must be satisfied that responses from the public are conscientiously taken into account and ensure there is a full consideration of all representations arising. A meeting with the petitioners is perfectly legitimate as part of a listening exercise and enables the petitioners concerns to be fully understood. Fairness and natural justice requires that there must be no predetermination of a decision in advance of any wider non-statutory consultation.

The Council must balance the concerns of any objectors with the statutory duty as set out above.

### **Corporate Landlord**

The Corporate Landlord has no comments.

### **BACKGROUND PAPERS**

Ballinger Way & Waxlow Way petition – June 2011