

COLDHARBOUR LANE – PETITION REQUESTING A RESIDENTS PARKING SCHEME

Cabinet Member	Councillor Keith Burrows
Cabinet Portfolio	Cabinet Member for Planning, Transportation and Recycling
Officer Contact	Danielle Watson Planning, Environment, Education and Community Services
Papers with report	Appendix A and B

HEADLINE INFORMATION

Purpose of report	To inform the Cabinet Member that a petition has been received from residents living in Coldharbour Lane, Hayes asking the Council to introduce 'resident only parking' in their part of the road. This request can be considered in relation to the Council's programme for the introduction of managed parking schemes.
Contribution to our plans and strategies	The request can be considered in relation to the Council's strategy for on-street parking controls.
Financial Cost	There are none associated with the recommendations to this report.
Relevant Policy Overview Committee	Residents' and Environmental Services
Ward(s) affected	Townfield

RECOMMENDATION

That the Cabinet Member;

- 1. Meets and discusses with petitioners their concerns with parking in Coldharbour Lane, Hayes.**
- 2. Subject to the outcome of the discussions with petitioners, approves the request for a 'resident only parking' scheme for the northern end of Coldharbour Lane, Hayes be added to the Council's Parking Programme so that as resources permit, statutory consultation can be carried out on detailed design indicated on Appendix B.**

INFORMATION

Reasons for recommendation

The residents have made a specific request for a resident permit parking scheme

Alternative options considered

None at this stage

Comments of Policy Overview Committee(s)

None at this stage

Supporting Information

1. A petition with 20 signatures has been received from residents living in the section of Coldharbour Lane, Hayes between Nos. 251-269 Coldharbour Lane, Hayes. Of the signatures received 17 were from residents living between Nos. 251-269 Coldharbour Lane, Hayes (which represents every household in this section of the road) and 3 signatures were from residents elsewhere in the borough. The location is indicated on the plan attached as Appendix A to this report.
2. Residents have previously submitted a petition requesting residents' parking which was heard in December 2008. The Cabinet Member will recall his decision that this section of Coldharbour Lane, Hayes be added to the Council's Parking Programme so that statutory consultation could be carried out on a detailed design.
3. Statutory consultation was carried out in February 2010 on a detailed design, which is attached as Appendix B to this report. From this consultation two responses were received during the consultation; one resident indicated support for a scheme whilst the other resident requested that the current parking arrangements remain unchanged. The responses were shared with local Ward Councillors whose considered view at the time was that no further action should be taken due to the low number and split responses. The Cabinet Member will recall deferring a decision on this proposed parking scheme and asking officers to keep the area under review and report back if further support is received from residents.
4. It would appear from the petition that residents in this section of Coldharbour Lane now support the principle of managing the parking close to their homes. It is therefore recommended that the Cabinet Member meets and discusses with petitioners their concerns and subject to the outcome asks officers to add the request to the Council's Parking Programme so that as resources permit, statutory consultation can be carried out on the previous proposals indicated on Appendix B. The results of this consultation will be reported to the Cabinet Member and local Ward Councillors and following consideration of any comments that may be received will decide to either proceed with the scheme as proposed, to proceed with the scheme modified in places, or to withdraw the scheme.

Financial Implications

There are no financial implications associated with the recommendations to this report. However if subsequently the Council were to consider the introduction of a Parking Management Scheme in this section of Coldharbour Lane, Hayes as requested, an allocation would be required from a surplus of the Parking Revenue Account to fund the consultation and subsequent implementation.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

To allow the Cabinet Member to discuss in detail with petitioners their concerns with parking in Coldharbour Lane, Hayes.

Consultation Carried Out or Required

None at this stage

CORPORATE IMPLICATIONS

Legal

This report seeks authority for a meeting with petitioners followed by a statutory consultation. A meeting with the petitioners is perfectly legitimate as part of a listening exercise, especially where consideration of the policy, factual and engineering issues are still at a formative stage. Fairness and natural justice requires that there must be no predetermination of a decision in advance of any wider non-statutory consultation.

The Council's power to make orders creating residents permit parking arrangements are set out in Part IV, Section 45 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).

In considering the statutory consultation responses, decision makers must ensure there is a full consideration of all representations arising including those which do not accord with the officer recommendation. The decision maker must be satisfied that responses from the public are conscientiously taken into account. If a local authority decides to embark upon a non-statutory process of consultation the applicable principles are no different from those which apply to statutory consultation: see R (Partingdale Lane Residents Association) v Barnet London Borough Council [2003] EWHC 947 (Admin), [2003] All ER (D) 29.

BACKGROUND PAPERS

Petition received – 17th October 2008
Statutory Consultation Report – March 2010
Petition received – 11th August 2011