

SPOUT LANE NORTH, STAINES-UPON-THAMES - PETITION REQUESTING A RESIDENTS' PARKING SCHEME AND MEASURES TO ADDRESS OTHER HIGHWAY RELATED ISSUES

| | |
|-----------------------------|---|
| Cabinet Member(s) | Councillor Keith Burrows |
| Cabinet Portfolio(s) | Cabinet Member for Planning, Transportation and Recycling |
| Officer Contact(s) | Steven Austin, Residents Services |
| Papers with report | Appendices A, B, C & D |

1. HEADLINE INFORMATION

| | |
|---|--|
| Summary | To inform the Cabinet Member that the Council has received a petition from residents and businesses of Spout Lane North asking for parking for residents and businesses and measures to address other highways related issues. |
| Contribution to our plans and strategies | The request can be considered as part of the Council's strategy for on-street parking. |
| Financial Cost | There are none associated with the recommendations to this report. |
| Relevant Policy Overview Committee | Residents' and Environmental Services. |
| Ward(s) affected | Heathrow Villages. |

2. RECOMMENDATION

Meeting with the Petitioners, the Cabinet Member:

- 1. Listens to their concerns with the current parking arrangements in Spout Lane North;**
- 2. Notes the various on-site meetings that officers have had with the lead petitioner, other residents and business occupiers;**
- 3. Notes the recent works undertaken to inspect the highway and to clear the ditches along Spout Lane North;**
- 4. Notes that the Council has agreed to reconstruct the vehicle crossovers adjacent to "Riverbank";**

5. Notes that liaison with other agencies including Heathrow Airport, the Metropolitan Police, Highways England, Transport for London, Spelthorne Borough Council and other stakeholders is continuing, with a view to achieving a comprehensive multi-agency solution to the underlying antisocial behaviour problems in Spout Lane North;

6. Subject to the outcome of 1. above, decides if an informal consultation on the three options developed to manage the parking in Spout Lane North should be undertaken or instructs officers to explore further options.

Reasons for recommendation

The petition hearing will provide a valuable opportunity to hear directly from the petitioners of their concerns and suggestions.

Alternative options considered / risk management

None at this stage.

Policy Overview Committee comments

None at this stage.

3. INFORMATION

Supporting Information

1. A petition of 45 signatures has been submitted to the Council from residents of Spout Lane North and Bedfont Court and people who work locally asking for the following:

- i. *Residents Parking (24 hours a day) with businesses registered at Spout Lane North & Bedfont Court to be given some passes to park their business and staff vehicles on the road without any restriction. Double yellow lines outside Riverbank.*
- ii. *Resurfacing of pavements.*
- iii. *Cut back all vegetation growth along the ditch line.*
- iv. *Dredge and clear out the entire ditch line along Spout Lane North.*
- v. *Regular enforcement visits for litter/parking violations.*
- vi. *Maintenance plan for pavement, road and ditch line.*

2. Spout Lane North runs between Stanwell Moor Lane and Airport Way (the latter the responsibility of Highways England, formerly known as the Highways Agency), which are close to Heathrow Terminal 5. Spout Lane North accommodates a mixture of residential properties and commercial premises. Bedfont Court is a private residential road accessed from Spout Lane North and gated approximately 30 metres from the junction. A location plan of the area is attached as Appendix A to this report.

3. As a result of the close proximity of Heathrow Airport, over the recent few months the Council has received a number of complaints regarding the increase in the numbers of Private Hire Vehicles using Spout Lane North as an impromptu car park whilst waiting to collect customers from the airport. Associated with this increase in vehicle numbers there are the well documented anti-social behaviour issues which the Cabinet Member will be aware are being addressed by the Council, with support from other agencies including the Metropolitan Police, Transport for London, Highways England, Heathrow as well as other neighbouring authorities.

4. The Cabinet Member will be aware of the detail of much of the antisocial behaviour reported in Spout Lane, much of it associated with the Mini Cab drivers who have taken to waiting to be called to collect passengers from the Airport.

5. Residents have reported such unsavoury activities as defecation and urination by drivers on the road, or even on private property, as well as the verbal abuse residents have received from the drivers when challenged. The Council and the Police appreciate and accept that this kind of behaviour is intolerable and unacceptable for the residents to have to endure, but clearly the means and resources that the Council and its partner agencies can bring to bear in order to tackle the problem must also be balanced, measured and legally valid. The Council's Environmental Enforcement Officers regularly attend known hot spots in Heathrow Villages Ward including Spout Lane North to try to address these concerns.

6. Residents understandably wish to see many of these anti-social activities dealt with and as the Cabinet Member will be aware, there are other actions, slightly outside the scope of this report, including the creation of dispersal zones, coupled with active enforcement by Environment as well as Parking officers, liaison with the police and the Taxi licensing authority where known.

7. Residents have understandably asked for parking controls as a means of helping tackle the influx of Mini cabs, but as the Cabinet Member will be aware, some less considerate Mini cab drivers are seemingly impervious to conventional parking enforcement activities, for the reasons set out later in this report. When the petitioners are considering the types of solution open to them, they would be advised to think carefully of the balance between the imposition of a scheme which will constrain parking against its likely effectiveness in tackling the core problem of transient parking by Mini Cabs.

8. As the petition is asking for a number of highway-related issues, the Cabinet Member may find it helpful if this report aims to address petitioners' requests in the order they have been raised.

First Petitioning Point: On-Street Loading and Waiting Restrictions including Parking Management Schemes

9. The Road Traffic Regulation Act 1984 (RTRA 1984) and subsequent acts provides the Council with the powers to control on-street parking. This can be achieved through a number of ways, including the comparatively simple measure of prohibiting waiting and loading through the introduction of yellow lines (with or without time limits when these apply) or by management through the introduction of Permit Parking Schemes or "paid for" parking, usually in the form of pay and display bays. The days and times that restrictions apply can be determined to meet local needs.

10. The Cabinet Member will be aware that there are in essence two 'levels' of parking controls which are available to the Council to consider.

11. 'Waiting' restrictions, usually in the form of single or double yellow lines alongside the kerb, often with traffic signs which set out the times when the restrictions are in force, dictate how long a vehicle can be left parked at the kerb side. Under present legislation, there is a so-called 'observation period' which means that someone stopped alongside the kerb is allowed a five-minute period of grace to cater for the possibility that the driver may be picking up or setting down either a passenger or goods. Disabled drivers who display a Blue Badge are exempt from the waiting restrictions and can generally park on single and double yellow lines for up to three hours.

12. What the observation period does often mean, however, is that the driver of a vehicle who has stopped may move off quickly if he or she sees a Civil Enforcement Officer (CEO) approaching their vehicle. This is a particular enforcement challenge with drivers of Mini Cabs, who generally remain in or near their vehicle while they wait and so are often able to drive off in order to avoid being issued with a Penalty Charge Notice (PCN).

13. 'Loading' restrictions, which appear in the form of yellow 'blips' which are perpendicular to the kerb, are a more onerous restriction. In the case of a kerb where loading has been prohibited, it is an offence to wait even for collecting or delivering goods and the five minute observation period does not apply. This therefore means that the CEO does not have to wait for five minutes and can issue the PCN instantly. In addition to the loading restrictions, the holders of Blue Badges are not allowed to park on a section of road with these yellow blips.

14. There are certain rules laid out in national legislation which are intended to constrain the extent to which local authorities apply the more onerous loading restrictions. These provide for the possibility of an independent public enquiry should the restrictions extend beyond parameters defined in the legislation and any statutory consultation results in formal (but non-frivolous) objections.

15. The third option open to the Council is to designate an area as falling under a 'Parking Management Scheme' (PMS - sometimes known as 'Controlled Parking Zones' or CPZ). In such cases, there are entry and exit signs and the areas where parking is permitted, upon display of a valid permit, is usually defined with carriageway markings and vertical traffic signs to show the bays and the regulations which govern them. In some cases, a PMS may be modified to allow for an element of 'pay and display' parking and in many of the Borough's town centres, there are dedicated 'Stop and Shop' schemes which allow for parking charges to be levied.

16. The Cabinet Member will be aware that in March 2015 the Council responded to earlier requests from residents and businesses in Spout Lane to introduce enhanced parking controls. This resulted in a section of double yellow lines being installed at the eastern end of the road following a formal consultation.

17. In the present instance, petitioners indicated they would like to see the implementation of a residents' PMS which would operate on a full 24/7 basis but would also provides permits for businesses *"registered at Spout Lane North"* and their staff.

18. As the Cabinet Member is aware, the Council currently provides one residents' parking permit and ten visitors' vouchers free of charge to every household in a Parking Management Scheme on an annual basis. Business Permits are designed to enable vehicles that are essential for the operation of a business to park in designated Business Bays, but these permits are not freely issued and are administered in a subtly different manner to residential permits.

19. Business permits are currently issued for a three-month period at a cost (which is the same throughout the Borough) of £120 per period. However, experience has shown that whilst these are sometimes popular and effective in busy town centres (Uxbridge Town Centre being a good example), many which have been sited in less commercially-active side-roads tend to become under-utilised and so are often empty, for the simple reason that businesses are reluctant to pay the charges levied for the necessary Business Permits.

20. There are no mixed residential and business bay parking schemes in the Borough along the lines perhaps envisaged by petitioners, where general permits are issued to residents and businesses alike. The Cabinet Member will be aware that the issue of any form of parking permit has to be carefully managed to avoid the potential risk of fraudulent misuse and for this reason, whilst limited numbers of parking vouchers are made available for residents to issue to their visitors, such a system is not available to facilitate parking by business staff or visitors.

21. The Cabinet Member will also be aware of several town centre sites where Business Bays have been introduced following local pressure, only to later be removed and converted either to general or Disabled parking bays.

22. For information, the Cabinet Member may wish to note that at the end of Spout Lane North, just beyond the property known as "Riverbank", ownership of the highway passes from the Council's responsibility to that of Highways England. At the boundary point, there is a change of speed limit to 50mph for the slip-road which leads onto Airport Way (also Highways England's responsibility) and there is in addition a Clearway restriction in force.

23. A Clearway is different to a conventional loading/ waiting restriction in that stopping on a Clearway is an offence, as it would be on the zig-zag markings seen by Zebra Crossings and outside many schools. As such, this is a more severe constraint on 'parking' but it is only appropriate for fast-running lengths of road with no frontages, and so would not be suitable for implementation in the Council's section of Spout Lane North.

24. The sections of Spout Lane North and the slip road leading from it onto Airport Way are both in the ownership and ongoing responsibility of Highways England. Whilst the Council operate a Parking Enforcement Service, Highways England 'Highways Agency Traffic Officers' (HATOs) do not have the same powers of enforcement and so any patrols and enforcement activities to deal with vehicles stopped on their roads are dealt with by the Police. Clearly this has implications for Spout Lane North and Airport Way as the Police will generally focus their resources in other areas.

25. The point here is that whilst the Council can take action to manage and enforce the bulk of Spout Lane North which falls under its responsibility, it must rely on third parties to manage the section of Spout Lane North beyond "Riverbank". Inevitably some of the Mini Cab drivers who wait in Spout Lane North sometimes park beyond the Highways England boundary and whilst Highways England have been known to place traffic cones at the side of the slip lane onto Airport Way, management of the parking problem is limited in terms of its effectiveness.

Loading and Waiting Scheme Options for Spout Lane North

26. Three options to manage the parking on Spout Lane North have been developed by officers who have undertaken several visits to the road and who have had some useful dialogue with some of the businesses and residents.

27. These options are attached as Appendices B, C and D to this report and are detailed below:

Option 1: "At any time" waiting and loading restrictions (see Appendix B)

Advantages

- Easy to enforce, no observation time so Civil Enforcement Officers (CEOs) can issue an instant Penalty Charge Notice (PCN) to any vehicle in contravention;
- Road should be kept clear of any vehicles;
- Still allows vehicles to pick up/set down passengers

Disadvantages

- Residents and their visitors will not be allowed to park;
- Vehicles will not be permitted to load/ unload to business premises or residential properties from the highway;
- Restrictions would apply 24/7 to residents and non-residents alike;
- There obviously remains a risk that Mini Cab drivers may still try to stop in the road and look out for any approaching CEOs.

Option 2: Parking Management Scheme (see Appendix C)

Advantages

- Marked out bays (where it is safe to provide them) and yellow lines where it is not considered safe to park;
- Permits/visitor vouchers only available to residents and their guests;
- Loading/unloading permitted for limited times (generally 20minutes in any one hour)

Disadvantages

- Possible cost implication to some residents if they own lots of cars and if they receive lots of visitors. (Despite the cost of permits in Hillingdon being some of the most reasonable in London);
- Employees/customers of local businesses will no longer be able to park on the highway as some do at present;
- CEOs can only issue a PCN after 5 minutes observation time
- There obviously remains a risk that Mini Cab drivers may still try to stop in the road and look out for any approaching CEOs.

Option 3: Limited Waiting Restrictions (see Appendix D)

Advantages

- Introduce double yellow lines (and possible loading restrictions) only where parking must not take place in the interest of safety and access;
- Leave some areas unrestricted to allow parking;
- Residents, Visitors will not need a permit/ voucher to park;
- Businesses and their customers can park subject to these areas being available

Disadvantages

- Unrestricted areas will still be available to private hire vehicles;
- Residents and businesses will be in competition for the available space;
- The main concerns over the associated anti social behaviour are unlikely to be alleviated;
- There may be continuing problems of non-residents parking in front and obstructing dropped kerbs even though this is already an enforceable parking contravention.

28. The Cabinet Member may wish to invite petitioners to consider the advice offered above and on that basis, form an opinion how further to progress the work, which could include a decision to progress an informal consultation on some or all three of them, or to decide to progress straight to a formal statutory consultation, depending on the level of agreement by petitioners.

Second Petitioning Point: Resurfacing of pavements.

29. The Council's Highways Inspectors have visited Spout Lane North and surveyed the footways. No defects were found to be above the Council's intervention levels and the condition of the footway was generally found to be satisfactory. However, as the Council operates an on-going inspection regime, the area will continue to be monitored.

Third Petitioning Point: Cutting back all vegetation growth along the ditch line.

30. The ditch line outside "Riverbank" has been cleared of overgrowth by the Council's Green Spaces team and also sprayed with a herbicide. The stretch of the ditch line upstream of "Riverbank" is behind the hedge/tree line but appears to be running unhindered. Downstream of "Riverbank" the drainage channel is the responsibility of Highways England and Spelthorne Borough Council. Hillingdon Council officers have been liaising with colleagues in the relevant highway authorities as it was noted the ditch was overgrown. The Cabinet Member will be advised of any further developments in this area.

Fourth Petitioning Point: Dredge and clear out the entire ditch line along Spout Lane North.

31. The Council has arranged for two vehicle crossovers to the lead petitioners property to be renewed in September. These bridge the ditch line and are in a poor state of repair. The Council are not able to excavate the ditch line any further outside "Riverbank" as it is already lower than the ditch line maintained by Highways England and Spelthorne Borough Council. Any further excavation by the Council would result in further ponding of stagnant water outside "riverbank" which could be particularly unpleasant in hot weather. However, as noted above any further actions undertaken by Highways England and Spelthorne Borough Council will be reported to the Cabinet Member.

Fifth Petitioning Point: Regular enforcement visits for litter/parking violations.

32. The Council's parking enforcement contractor APCOA continues to monitor the situation in Spout Lane North on a regular basis. However, as there are currently few parking restrictions in place, the CEO can only issue PCN to vehicles parked on the double yellow lines, parking on the footway or verge and where they are obstructing a dropped kerb. The Council has recently doubled the enforcement resources in and around those areas near the airport that are affected by Private Hire Vehicles.

Following an on-site meeting between senior officers from the Council's Anti Social Behaviour Investigation Team and the lead petitioner, the Council has undertaken frequent visits to the area around Heathrow which has been visited on 42 separate occasions by the Environmental Enforcement Team (EET) often with the support of the Metropolitan Police. A significant number of Fixed Penalty Notices (FPN) have been issued to drivers and the Council is exploring other legal measures to address this on-going problem.

Sixth Petitioning Point: Maintenance plan for pavement, road and ditch line.

33. The footways and carriageway are inspected yearly as part of the Council's annual inspection regime. The ditch line is maintained as and when required.

Conclusions

34. The Cabinet Member will note the range of options for possible new parking controls in Spout Lane North, described in the body of this report and illustrated on the plans appended. It is recommended that the Cabinet Member meets with the petitioners and discusses these options with them, and invites them to consider at the same time the relative levels of control that these schemes would impose upon them and their visitors as well as the unwanted Mini cab influx which residents are understandably keen to see addressed by the most effective means. Clearly the introduction of further parking controls can form part of this multi-agency approach, but they will not solve the problems in isolation.

35. The Cabinet Member will also note that as set out in this report and in the form of separate regular briefings provided to him and his Cabinet colleagues, the Council is working on a number of fronts and indeed as this report has also highlighted, some of the specific requests set out by the lead petitioner have already been acted upon.

36. On the basis of the petitioner's testimony the Cabinet Member may wish to consider the next steps which could include an informal consultation on the options provided or other options that may come out of the discussions with petitioners.

Financial Implications

There are no financial implications associated with the recommendations to this report. If works are subsequently required, suitable funding will need to be identified within the parking programme.

4. EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

To allow the Cabinet Member an opportunity to discuss in detail with petitioners their concerns

Consultation Carried Out or Required

None at this stage.

5. CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and concurs with the financial implications set out above.

Legal

There are no special legal implications for the proposal to discuss with petitioners their concerns with the current parking arrangements in Spout Lane North which amounts to an informal 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.

In considering any informal 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.

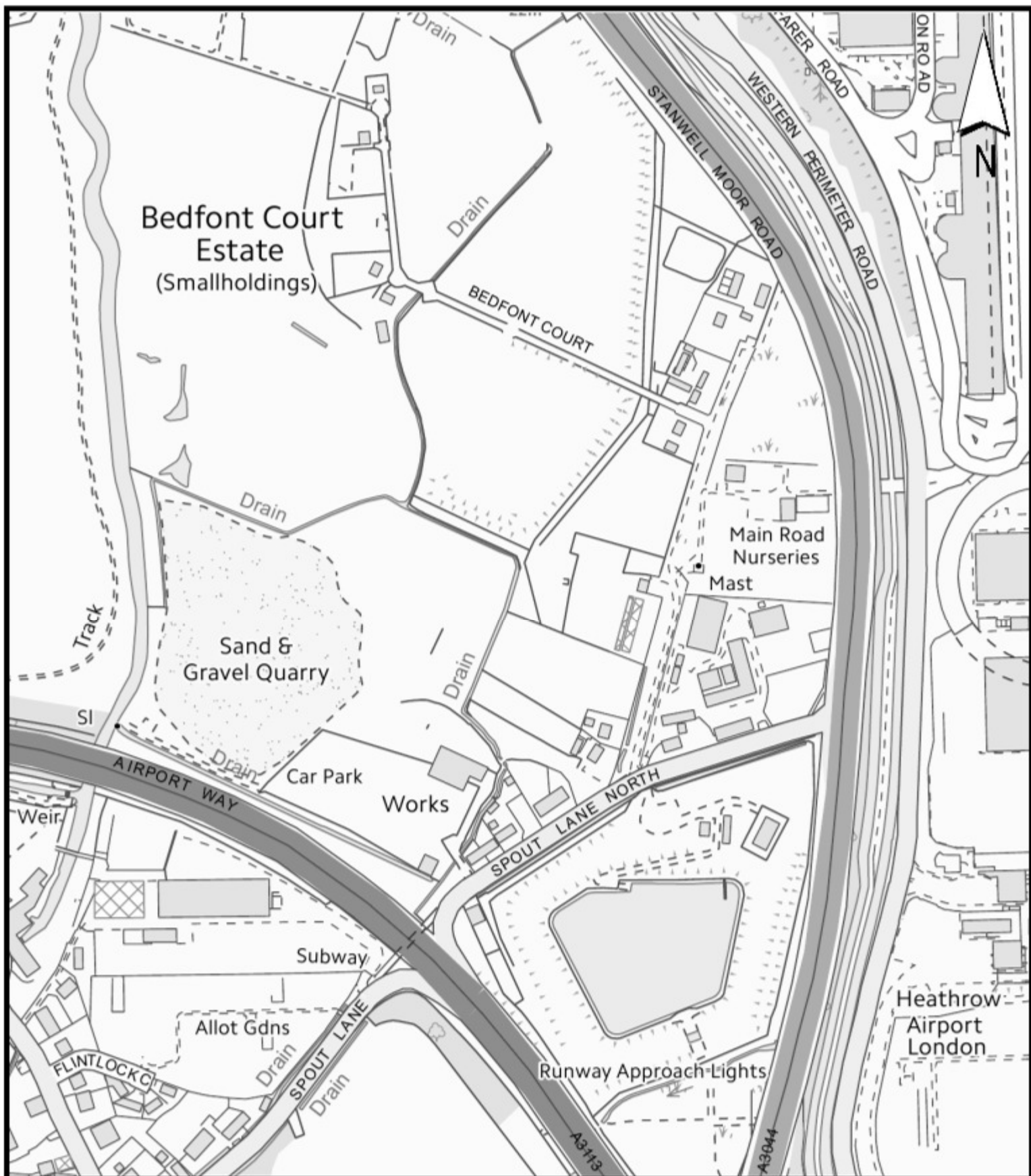
Should there be a decision that further measures are to be considered then the relevant statutory provisions will have to be identified and considered.

Corporate Property and Construction

There are no corporate property and construction implications arising from the recommendations in this report.

6. BACKGROUND PAPERS

Nil.

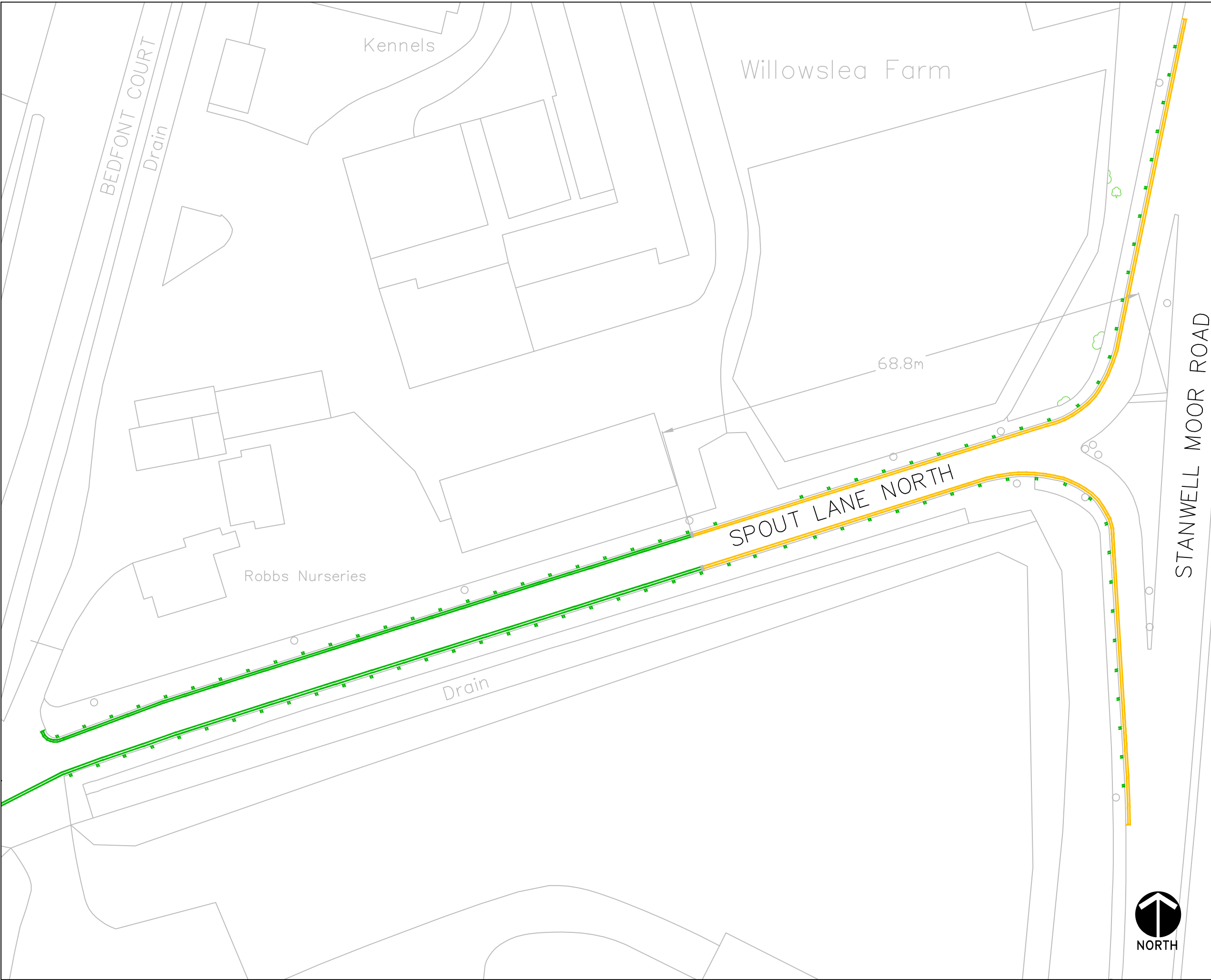





Spout Lane North - Location plan

Appendix A

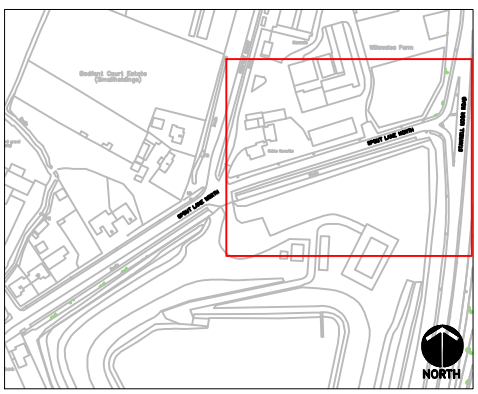
Date August 2015

Scale 1:4,000



- KEY**
-  EXISTING DOUBLE YELLOW LINE
 -  NEW DOUBLE YELLOW LINE
 -  NEW NO LOADING/UNLOADING (OPTIONAL)

APPENDIX B



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Project
**Spout Lane North
 (East-End)**

Description
**"At any time" Waiting and
 Loading Restrictions
 OPTION 1**

| | | | |
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| Scale | Designed | Drawn | Date |
| 1:500 | SA | DAH | 12.08.15 |

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| | Plan 1 of 2 | |

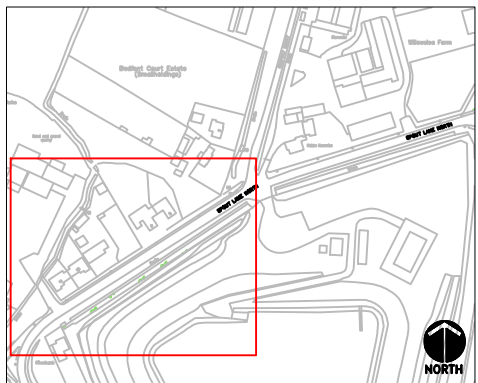




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| | DYLT | EXISTING DOUBLE YELLOW LINE |
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| | | NEW NO LOADING/UNLOADING (OPTIONAL) |

APPENDIX B



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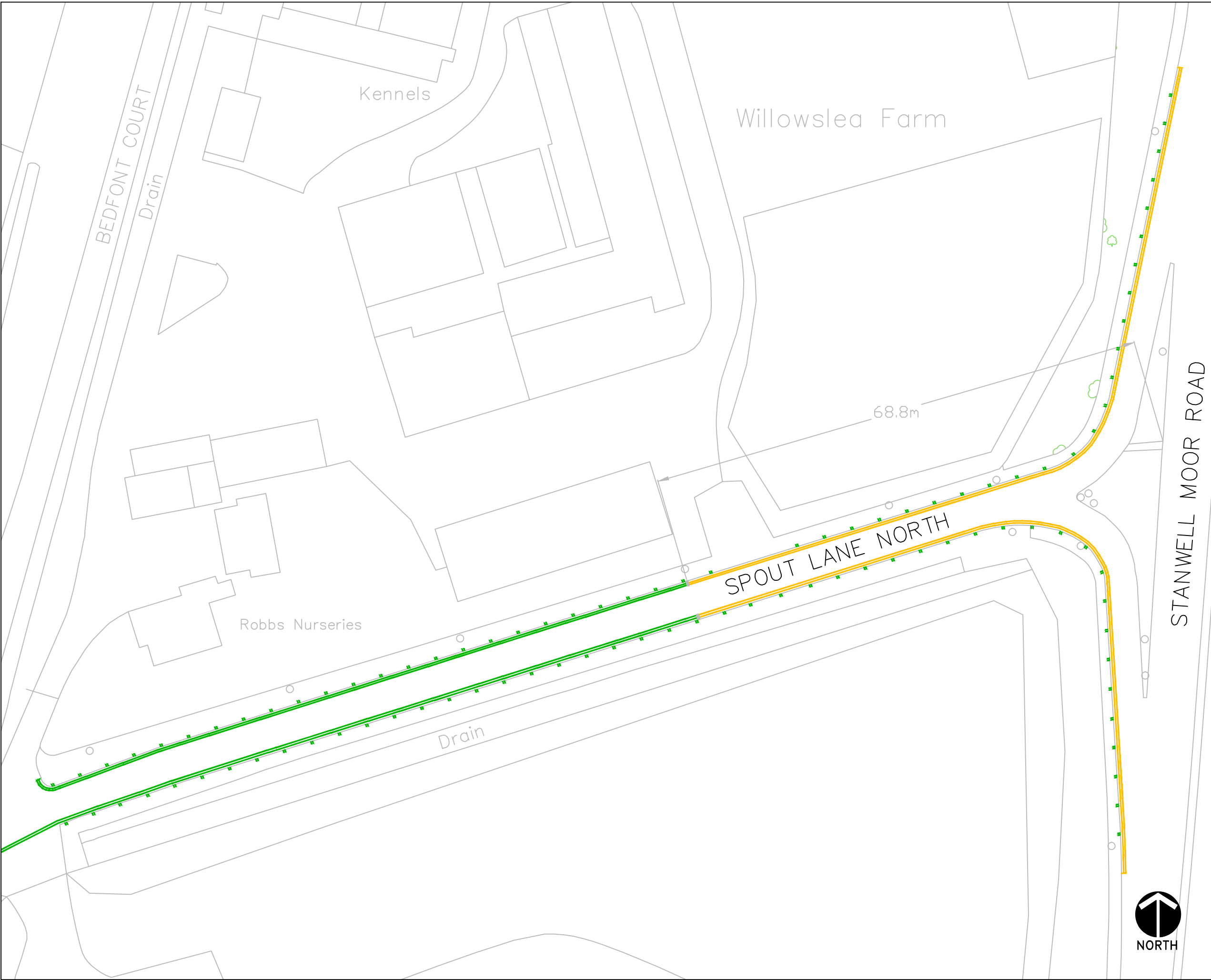
Project
**Spout Lane North
 (West-End)**





Description
**"At any time" Waiting and
 Loading Restrictions
 OPTION 1**

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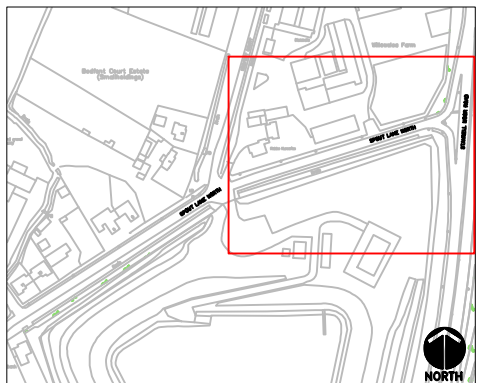
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- KEY**
-  DYL
EXISTING DOUBLE YELLOW LINE
 -  DYL
NEW DOUBLE YELLOW LINE
 -  NEW NO LOADING/UNLOADING (OPTIONAL)
 -  PERMIT HOLDER ONLY BAY

APPENDIX C



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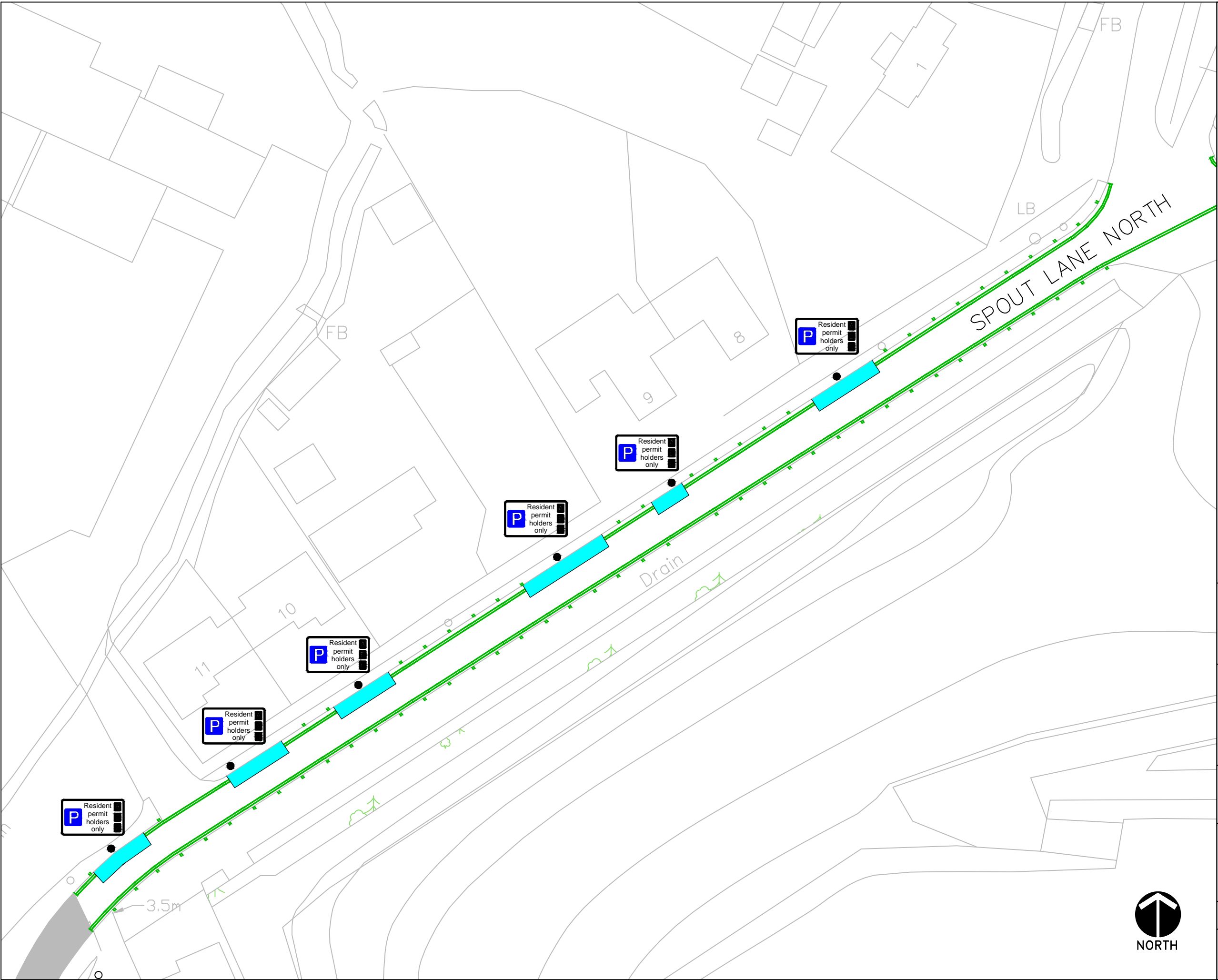
Project
**Spout Lane North
(East-End)**





Description
**Parking Management Scheme
OPTION 2**

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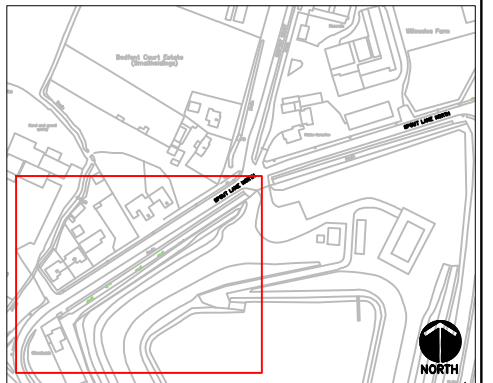
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| | Plan 1 of 2 | |





- KEY**
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 -  DYLT NEW DOUBLE YELLOW LINE
 -  NEW NO LOADING/UNLOADING (OPTIONAL)
 -  PERMIT HOLDER ONLY BAY
- PARKING BAYS ARE 2m WIDE UNLESS NOTED

APPENDIX C

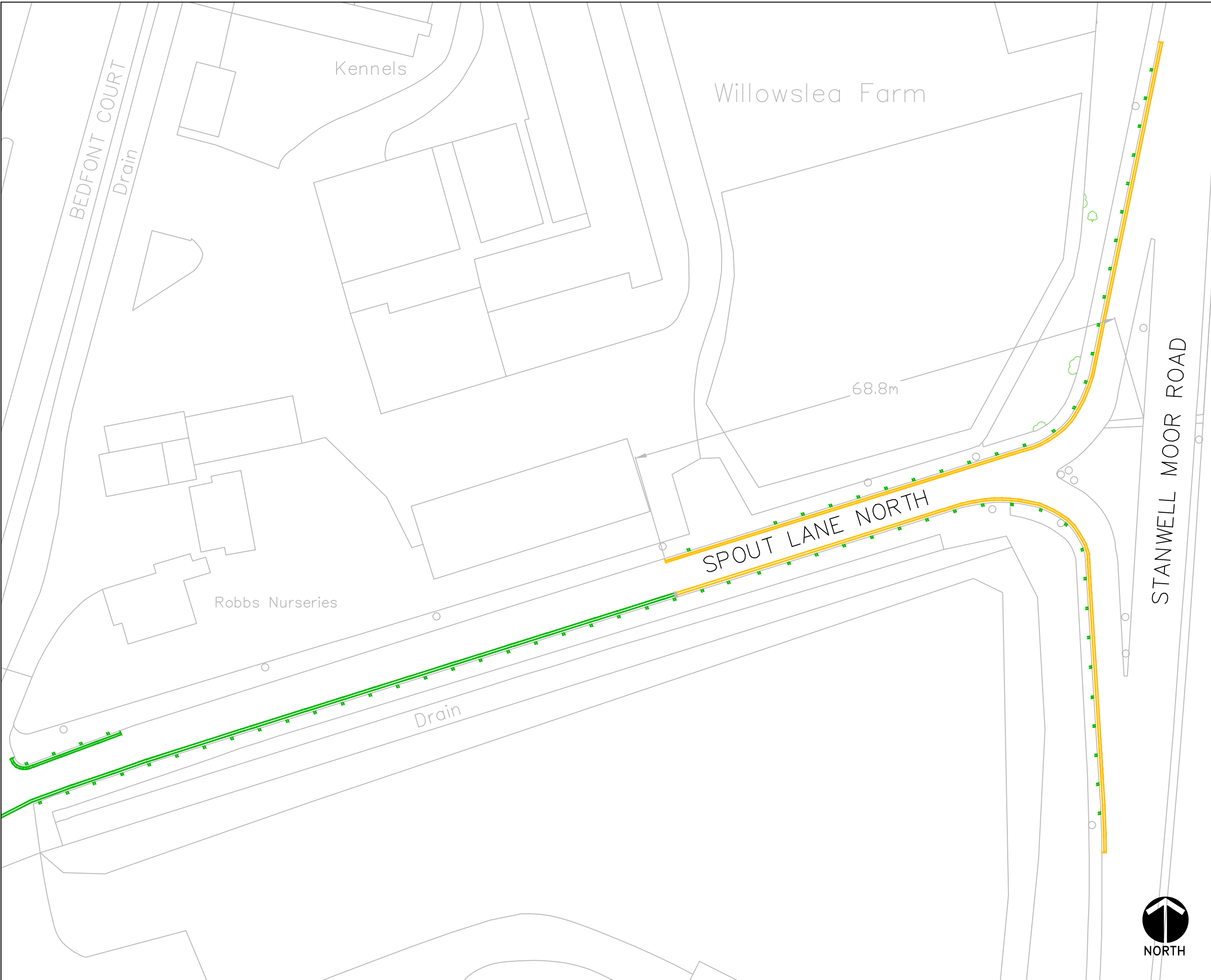





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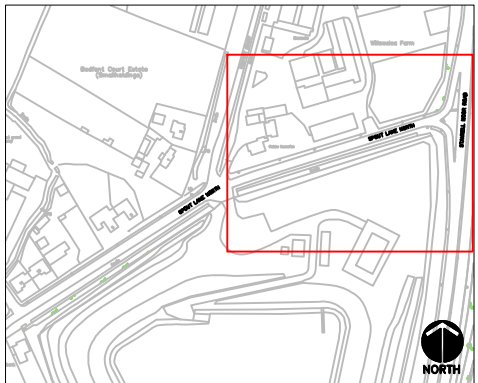
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| Spout Lane North (West-End) | | | |
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| Parking Management Scheme OPTION 2 | | | |
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| Project No. | Drawing No. | | Rev. |
| | Plan 2 of 2 | | |





- KEY**
-  DYL EXISTING DOUBLE YELLOW LINE
 -  DYL NEW DOUBLE YELLOW LINE
 -  NEW NO LOADING/UNLOADING (OPTIONAL)

APPENDIX D



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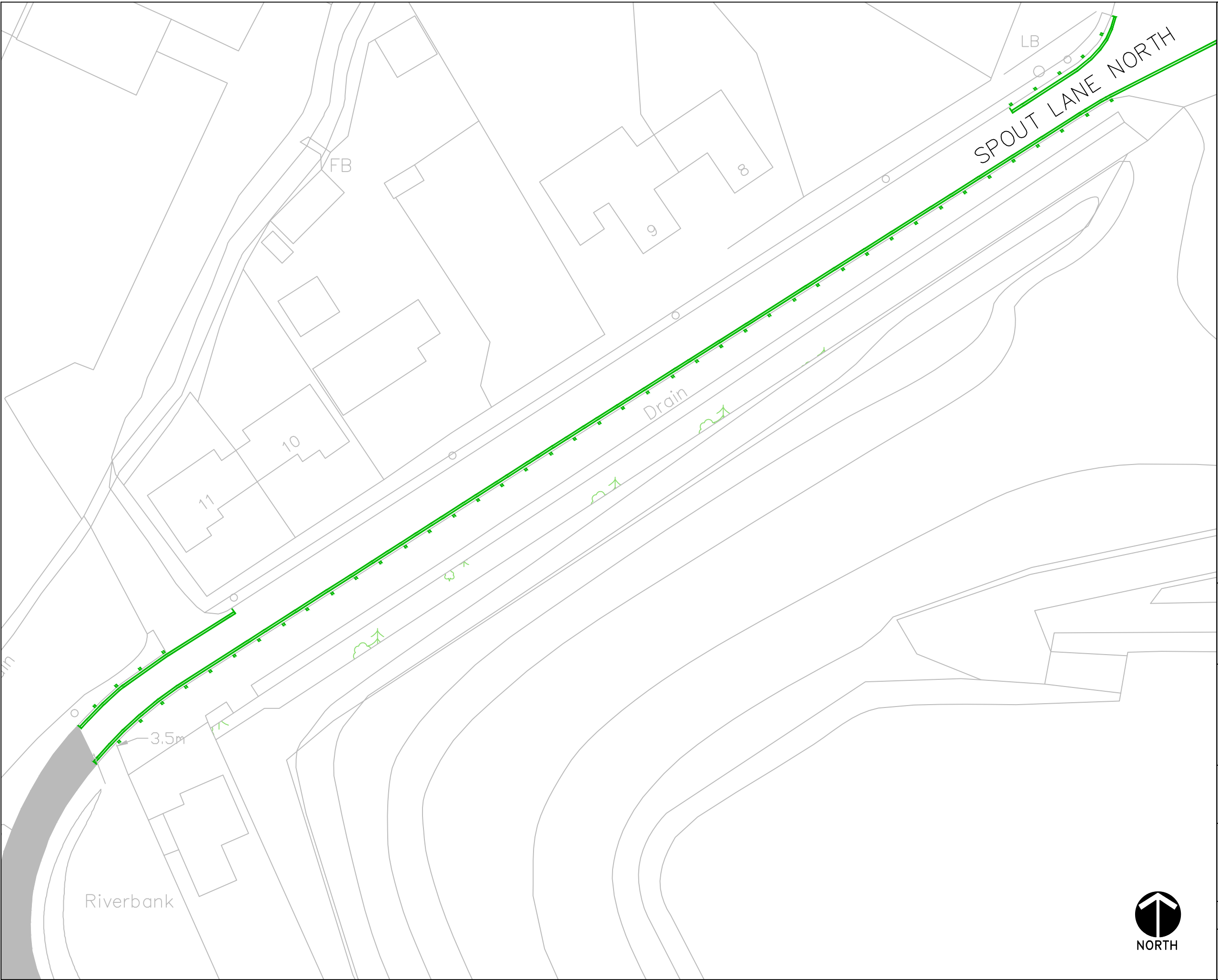
Project
**Spout Lane North
 (East-End)**

Description
**Limited Waiting Restrictions
 OPTION 3**




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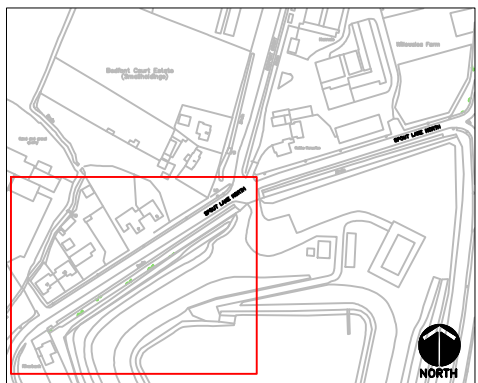




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|  | | NEW NO LOADING/UNLOADING (OPTIONAL) |

APPENDIX D



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Project
**Spout Lane North
 (West-End)**

Description
**Limited Waiting Restrictions
 OPTION 3**

| | | | |
|-------|----------|-------|----------|
| Scale | Designed | Drawn | Date |
| 1:500 | SA | DAH | 12.08.15 |

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| | Plan 2 of 2 | |

