

South of the Borough Neighbourhood Committee

29 June 2021

TMO Objections to proposed parking restrictions

Report by: Matthew Hill, Assistant Director - Highways, Transport, and Regulatory Services

Relevant Portfolio Holder: Councillor Stephanie Archer, Portfolio Holder for Environment & Sustainable Transport

Purpose of Report

To consider objections received during the statutory consultation period to the publication of the Traffic Management Order (TMO) reference KingMap0051, which includes a proposal to extend the double yellow line 'at any time' waiting restrictions in Foxglove Lane, Chessington (from the side of Nos. 43/44 to outside Nos. 31/32), as shown in Annex 1, and Woodgate Avenue, Chessington (opposite No. 25), as shown in Annex 6.

Recommendation(s)

The Committee is asked to RESOLVE that:

1. The comments and objections received in paragraphs 2 to 4 for Foxglove Lane, and 11 to 13 for Woodgate Avenue, and officer comments in paragraphs 5 to 10 and 14 be noted;
2. The objections received for the introduction of double yellow line 'at any time' waiting restrictions in Foxglove Lane be set aside, and the implementation of the TMO, with amendments as described in paragraphs 9 and 10, is progressed.
3. The objections received for the introduction of double yellow line 'at any time' waiting restrictions in Woodgate Avenue in Chessington be set aside, and the implementation of the TMO is progressed.
4. The objectors are informed of the Committee's decisions above.

Benefits to the Community:

The proposed waiting restrictions are intended to reinforce rules 242 and 243 of the Highway Code with the aim of further protecting safety and access for all road users by highlighting, and enforcing, locations where a vehicle or trailer may otherwise be parked in a dangerous position or cause an unnecessary obstruction of the road.

Key Points

- A. The TMO was published on 8th April 2021 to introduce new double yellow line 'at any time' waiting restrictions in Foxglove Lane and Woodgate Avenue. During the statutory consultation period, the Council received 14 objections and 2 comments to the Foxglove Lane proposal, and two objections to the Woodgate Avenue proposal.

- B. As part of the Statutory process the views of the Fire Brigade and Refuse and Recycling team were also sought, as access issues for both large vehicles had been previously raised. Their views are reported below.
- C. This report outlines the objections and other comments received, with a recommendation to amend the proposal for Foxglove Lane and then to set aside the objections; and to set aside objections for the Woodgate Avenue proposals for the reasons given in the report below.

Context

1. The proposal for double yellow line 'at any time' waiting restrictions were processed following standard TMO processes. The TMO was published in the Surrey Comet and street notices placed on lamp columns on the road.

Comments and Objections Received for FOXGLOVE LANE

2. A summary of the points raised in the objections received for the TMO are listed below, with officer response. The full text of objections and comments are included in Annex 3.
3. There were 14 objections to the proposal, of which 11 gave Foxglove Lane as their address. There was one comment in favour of the proposals and one requesting clarification.
4. Points raised in objections with number of times it was mentioned in square brackets:
- Parking spaces are limited [12]
 - DYL proposal for whole length is unnecessary [4]
 - Possible displacement of parking onto adjacent roads [2]
 - Waste collection requirements only one day a week [2]
 - Commuter parking for industrial estate [2]
 - No experience of access issues for larger vehicles [1]
 - Possibility of illicit parking in reserved spaces [1]
 - Possibility of speeding due to widening of space on road [1]
 - Security concerns with parking locations [1]
 - Lack of consultation [1]
 - Disability issues [1]

Officer Response

5. 14 objections as a proportion of the affected area is quite a high number of objections. There are 44 households in Foxglove Lane, and 11 objections is 25 per cent of those households that object to the proposal for extending the parking restrictions.
6. These proposals were based on issues raised in a complaint from residents of Foxglove Lane with the local Member of Parliament and highlighted by ward councillors. Although a petition was requested, it was felt by the original complainant that this was not possible and that there was a strong case for parking restrictions, so there is no petition associated with this proposal.
7. The Council's Waste Services team also provided feedback about problems they have had accessing Foxglove Lane, and London Fire Brigade were also asked to assess Foxglove Lane for access for their fire tenders. The Waste Services team did confirm problems accessing Foxglove Lane due to parking obstructing the highway, and London Fire Brigade, whilst they could only just get through at certain times of day, did highlight that access could be improved. The original

complainant, whose correspondence is included in Annex 2, claimed they had to call the fire service to their property who in turn could not get access to the street.

8. There are 39 specifically designated parking spaces in Foxglove Lane, 20 spaces at the northern and eastern ends and 6 between nos 31 to 38. According to Council mapping records these parking spaces are not on the public highway and appear to be on private land, and some of these appear to be designated to particular properties as part of title deeds. 39 spaces for 44 properties is a high proportion of parking where properties were built with no private driveways.
9. However, given (i) the level of objections as a proportion of the total number of households in Foxglove Lane, (ii) that there was no petition associated with this proposal, and (iii) there appear to be options to modify the proposals whilst retaining some of the intended benefits of the proposed parking restrictions, it is therefore proposed that a shortened length of double yellow line is installed. From feedback received from the Waste Services team, this would still provide some protection for access at the junction with Chantry Road.
10. The TMO originally advertised (KingMap0051) proposed double yellow line 'at any time' waiting restrictions from the side of Nos. 43/ 44 to outside Nos. 31/ 32 Foxglove Lane, a length of approximately 60 metres. In the amendment proposed above, the length of double yellow line would be reduced to approximately 18 metres, starting at the same location. See Annex 4 for the amended proposals.
11. The amended proposal in Annex 4 was sent to all the objectors of the TMO asking if they still wished to uphold their objection or withdraw it. Out of the original 14 objections received, there were 4 responses to the amended proposals: 1 response wishing to uphold their objection, 2 withdrawing their objection, and 1 conditionally withdrawing. These 'follow up' responses are included in Annex 5.

Comments and Objections Received for WOODGATE AVENUE

12. A summary of the points raised in the objection and comment received for the TMO are listed below, with officer response. The full text of the objection and comment is included in Annex 7.
13. There were 2 objections to the proposal, which were deemed by the Council to be one and the same objection due to the same name and similar text in the correspondence.
14. Points raised in objections were:
 - Parking issues and security
 - Suggestion for parking permits

Officer Response

15. The proposed double yellow lines are to reinforce a 'no parking' situation which exists anyway, on a section of up to 5 metres where the access road for the Ripon Gardens Housing Estate meets Woodgate Avenue. The proposed location is in effect a road junction, and provides access to the estate. This is essential for services such as waste collection and would be vital for emergency service vehicles. This in itself would justify setting aside objections, but there are also allocated parking spaces along the length of Ripon Gardens as well as Hereford

Way, and there are no other parking restrictions adjacent to the proposed parking restriction on Woodgate Avenue.

Consultations

16. The Statutory Consultation process for a Traffic Management Order has been followed, and the objection raised is referred to the Neighbourhood Committee to consider, as per the Council's constitution, before deciding on the way forward.

Timescale

17. If the Committee sets aside the objections to these proposals for Foxglove Lane and Woodgate Avenue, implementation of the double yellow lines is anticipated to be Autumn 2021.

Financial Context

18. The council is operating in an increasingly challenging financial environment. Kingston faced a number of financial challenges in the medium to longer term - even before the COVID-19 outbreak, which has further added to these challenges. The economic and financial consequences of the pandemic, growing demand for services, and limited government grant funding make it difficult to find adequate funds to meet the borough's needs.
19. The future of local government finance faces a significant level of uncertainty. The impact of the Fair Funding Review and a future review of business rates is currently unknown, and the lasting effects of COVID-19 on our residents, local businesses and the Council itself remain uncertain.
20. Despite these challenges the council has a drive and commitment to ensure it is doing the best for residents and communities.

Resource Implications

21. These proposals are estimated to cost approximately £4,000, and will be met out from the existing Neighbourhood Traffic Management Schemes budget.

Legal Implications

22. There are no direct legal implications arising from this report. It is a matter of judgment whether or not there should be parking restrictions at this location. The report has explained the potential hazard and set out the objection to the proposal. The recommendation that the restriction should be imposed despite the objection has balanced the two standpoints and come to a professional judgment on the issue taking account of relevant considerations.

Risk Assessment

23. The scheme proposed for approval should improve the quality of life for residents and reduce the risk of accidents to the benefit of the whole community.

Equalities Analysis

24. There is an overarching EQIA in place that covers transport Local Implementation Plan (LIP) schemes when they are proposed at concept stage. A scheme specific EqIA review will be completed for each location, prior to measures being introduced.

Health Implications

25. There are no anticipated health implications to consider with this proposal.

Road Network Implications

26. There are no anticipated road network implications as a result of this proposal.

Sustainability Implications

27. There are no sustainability implications arising from this proposal.

Background papers

- TMO Notice Ref: KingMap0051
- Objections/ comments received to the above

held by Philip Loy

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