



Democratic Services

Location: Phase II

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CMD No: 810

**To: COUNCILLOR JONATHAN BIANCO
CABINET MEMBER FOR PROPERTY, HIGHWAYS
AND TRANSPORT**

c.c. All Members of the Property, Highways and
Transport Select Committee

c.c. Kevin Urquhart – Place Directorate

c.c. Perry Scott – Corporate Director of Place

c.c. Ward Councillors for Hillingdon West

Date: 19 May 2023

Non-Key Decision request

Form D

Objection to the Proposed Removal of Part of the Zone U5 Permit Holder Parking Place Outside No. 8 Nursery Way, Uxbridge to Accommodate a New Vehicle Crossover

Dear Cabinet Member

Attached is a report requesting that a decision be made by you as an individual Cabinet Member. Democratic Services confirm that this is not a key decision, as such, the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 notice period does not apply.

You should take a decision **on or after Tuesday 30 May 2023** in order to meet Constitutional requirements about publication of decisions that are to be made. You may wish to discuss the report with the Corporate Director before it is made. Please indicate your decision on the duplicate memo supplied, and return it to me when you have made your decision. I will then arrange for the formal notice of decision to be published.

Ryan Dell
Democratic Services Officer

Title of Report: Objection to the Proposed Removal of Part of the Zone U5 Permit Holder Parking Place Outside No. 8 Nursery Way, Uxbridge to Accommodate a New Vehicle Crossover

Decision made:

Reasons for your decision: (e.g. as stated in report)

Alternatives considered and rejected: (e.g. as stated in report)

Signed Date.....

Cabinet Member for Property, Highways and Transport

Objection to the Proposed Removal of Part of the Zone U5 Permit Holder Parking Place Outside No. 8 Nursery Way, Uxbridge to Accommodate a New Vehicle Crossover

Cabinet Member	Councillor Jonathan Bianco
Cabinet Portfolio	Cabinet Member for Property, Highways and Transport
Officer Contact	Kevin Urquhart – Place Directorate
Papers with report	Appendix A

HEADLINES

Summary	To inform the Cabinet Member that an objection has been received to proposed amendments outside No. 8 Nursery Way, Uxbridge to accommodate a new vehicle crossing.
Putting our Residents First	This report supports the Council objective of 'Our People'. Results of the consultation will be considered in relation to the Council's strategy for parking in residential areas.
Financial Cost	The estimated cost associated with the recommendations to this report is £1,000.
Relevant Select Committee	Property, Highways and Transport Select Committee.
Relevant Ward	Hillingdon West.

RECOMMENDATIONS

That the Cabinet Member:

1. Notes the objection received during the statutory consultation for the proposed removal of a section of the permit holder parking place outside No. 8 Nursery Way, Uxbridge.
2. Approves that the section of the parking place outside No. 8 Nursery Way, Uxbridge be removed and replaced with a section of 'Monday to Friday 8am to 5pm' waiting restrictions as proposed and indicated on Appendix A.

Reasons for recommendation

To allow clear vehicular access to planned individual vehicle crossing being constructed outside No. 8 Nursery Way, Uxbridge.

Alternative options considered/ risk management

None at this stage.

Select Committee comments

None at this stage.

SUPPORTING INFORMATION

1. The Council's Highways Team received a request for a new vehicle crossing to be constructed outside No. 8 Nursery Way, Uxbridge. Prior to work commencing on the construction of this new vehicle crossing, a section of Zone U5 permit holder parking place will need to be removed from directly outside where the new vehicle crossing is planned in order to ensure unimpeded access and egress to the off-street parking facility that is being created at this property.
2. Following the above, statutory consultation was carried out on these amendments to facilitate the installation of this and other new vehicle crossings within Parking Management Schemes. During this period street notices were erected and public notices were placed in the London Gazette and a local newspaper.
3. It was proposed that a section of the parking place be removed and replaced with a 'Monday to Friday 8am to 5pm' waiting restriction in order to prevent other drivers from causing an obstruction once both dropped kerbs had been constructed. Attached as Appendix A to this report is a plan of the proposals.
4. During the consultation period the Council received an objection from a resident who lives within the same road where the amendments have been proposed. It would appear that the main concern of this resident is in relation to the loss of on-street parking as a result of the proposed changes to the parking places.
5. The Cabinet Member will be aware that the public have a legal right to gain access to their property from the highway. When determining an application for a new vehicle crossing, Section 184 of the Highways Act gives guidance to Highway Authorities in so much as they are only able to ensure that, so far as is practicable, there is safe access to and egress from the premises and there is a need to facilitate so far as practicable the passage of vehicular traffic in highways. The Highways Authority should also take into consideration any physical obstruction preventing the installation. In this case the Council's Highways officers have assessed the points above and have identified no legal basis to reject the application and therefore propose to proceed with the installation of the new vehicle crossing.
6. The Council's Highways policy for new crossover applications states that crossovers will not be permitted where they would result in the loss of more than one space in residents' parking place in a Parking Management Scheme. To help minimise the overall loss of parking the length of parking place that has to be removed has been kept as small as possible by maintaining 10.5 metres of existing parking space, which should be enough to accommodate two vehicles.
7. Officers have been unable to identify another location nearby that is within the extent of the Parking Management Scheme where it would be possible to consider the installation of an additional permit holder parking place to offset the loss of parking as a result of these changes.

8. The removal of a section of parking place outside Nos. 8 Nursery Way will result in the loss of some permit holder parking. It appears that the new driveway being constructed could potentially accommodate more than one vehicle which will off-set the loss of on-street parking. It is therefore recommended to proceed with the changes to the parking outside No. 8 Nursery Way as proposed and indicated on Appendix A.

Financial Implications

The estimated cost to implement the proposed changes is approximately £1,000, which can be contained within the existing budgets for the construction of domestic crossovers.

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon Hillingdon residents, service users and communities

The recommendation will provide clear access to a new vehicle crossing being constructed outside No. 8 Nursery Way, Uxbridge. Although this will result in the loss of some on-street parking, the off-street parking area being created could potentially accommodate more than one vehicle.

Consultation carried out or required

Statutory consultation was carried out between 22 March to 12 April 2023 by the insertion of public notices in a local newspaper, the London Gazette and displayed on site. Additionally, the Council wrote to the residential properties abutting the section of road where the changes are proposed.

No further consultation is required, however a final notice of making will be required if the Cabinet Member decides to approve the recommendations of this report.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance have reviewed the recommendations to this report and concurs with the financial implications as set out above.

Legal

The Council's power to make orders relating to parking places is set out in Part IV of the Road Traffic Regulation Act 1984.

If the recommendation is implemented, this report indicates that a permit parking place will be removed and additional waiting restrictions will be imposed on the road. The Council's power to make orders imposing waiting restrictions is 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 requires the Council to balance the concerns of the objector with the statutory duty to secure the expeditious, convenient and safe movement of vehicular and other traffic.

Availability of off-street parking and safe access to the driveway identified in this report are relevant considerations in deciding whether to make this form of order. In considering the consultation responses, decision makers must ensure there is a full consideration of all representations arising including those which do not accord with the officer's recommendation. The decision maker must be satisfied that responses from the public were conscientiously taken into account.

The Traffic Signs Regulations and General Directions 2016 govern road traffic signs and road markings. There are no special circumstances drawn to our attention that would prevent removal of the permit parking place and introduction of waiting restrictions provided that the appropriate statutory procedures are followed.

Infrastructure/ Asset Management

None at this stage.

Comments from other relevant service areas

None at this stage.

BACKGROUND PAPERS

NIL.

