

<b>DECISION MAKER</b> Cabinet Member for Climate Change, Environment and Transport	<b>DATE</b> 23.12.2022
<b>TITLE</b> Rochester Way & Welling Way – making of Traffic Management Order for proposed payment parking and time limited parking	<b>WARD (S)</b> Eltham Park & Progress
<b>CHIEF OFFICER</b> Director of Communities, Environment and Central	<b>CABINET MEMBER</b> Climate Change, Environment and Transport
<b>DECISION CLASSIFICATION</b> Key (date added to Forward Plan 04.10.22) Subject to call in Non-Exempt	<b>IS THE FINAL DECISION ON THE RECOMMENDATIONS IN THIS REPORT TO BE MADE AT THIS MEETING?</b> Yes

## **I. Decision Required**

This report makes the following recommendations to the decision-maker:

- 1.1 To take into consideration all comments and objections that have been received and outlined in Appendix 2, following the promotion of the Traffic Management Order (TMO) at Rochester Way and Welling Way.
- 1.2 Agree to making of the TMO at Rochester Way and Welling Well and the implementation of the proposed payment parking and time limited parking without amendment, as per the plans shown in Appendix I

Signed.....  
Councillor Avril Lekau, Cabinet Member for Climate Change, Environment and Transport

## **2. Links to the Royal Greenwich high level objectives**

- 2.1 This report relates to the Council's agreed high-level objectives as follows:
  - A Healthier Greenwich
  - A Safer Greenwich
  - A Cleaner, Greener Greenwich

- 2.2 The Council's Transport Strategy sets the Royal Borough's vision for a clean, green, and safe place to live, work and visit. An attractive, accessible, healthy, and sustainable transport network is necessary to deliver the objectives listed above. To deliver our ambitious target to reach net zero carbon emissions by 2030 in line with the Council's Carbon Neutral Plan, a Transport Strategy is key. Transport is the second biggest source of emissions in Royal Greenwich, and we need to cut emissions, improve air quality, encourage more sustainable modes of transport, and create a climate resilient transport network. The Transport Strategy also sets out the Royal Borough's vision for how travel can support: more active healthy lifestyles (helping to tackle obesity, heart disease, health inequality and other health issues); improved air quality; and improved road safety.
- 2.3 Royal Greenwich is projected to be one of the fastest growing boroughs in London. Investment in transport infrastructure and services, and behavioural change, is vital to support sustainable growth. The Transport Strategy helps to ensure growth helps all those living, working, or visiting the Royal Borough to maximise their opportunities and quality of life.
- 2.4 Alongside the Transport Strategy the Council also adopted the Kerbside Management Policy Framework Action Plan.
- 2.5 The Kerbside Management Plan focusses on how the way we manage our kerbside space and how parking can deliver our transport objectives, including to reduce car ownership and emissions across Royal Greenwich.
- 2.6 Waiting restrictions and parking bays provide the benefits of reducing congestion and air pollution by vehicles driving through or to boroughs to park and commute; discourage short trips by car which can readily be made by other active transport modes and make it easier for residents, and their visitors and delivery drivers, to park near their homes. Payment parking & time limited bays can help create turnover of parking places, discourage car use, and prevent all day parking on street, in turn helping to promote sustainable transport choices. Waiting restrictions are also promoted to ensure the free flow of traffic is maintained and to the benefit of road safety.

### **3. Purpose of Report and Executive Summary**

- 3.1 Given the rise in parking pressure along Rochester Way and Welling Way, it was clear that changes should be promoted to improve the safety in the local area by providing waiting restrictions and amending parking controls to increase forward visibility and prevent obstructive parking.

3.2 The purpose of this report is to seek approval for the TMO (scheme detailed at Appendix I) at Rochester Way and Welling Well relating to implementation of the proposed waiting restrictions and payment parking following statutory consultation in August 2022. (responses are detailed at section 5 of this report).

#### **4. Introduction and Background**

4.1 The increase in parking pressure has led the Royal Borough of Greenwich to advertise parking controls within Rochester Way & Welling Way, to preserve the amenities of the area through which the road runs.

4.2 Rochester Way & Welling Way (as shown in Appendix I) has had unrestricted parking for several years, which has led the Royal Borough of Greenwich to consult those affected with a view to introducing Payment Parking, some limited time parking and 'At Any time' waiting restrictions (double yellow lines).

#### **Statutory Consultation – August 2022**

4.3 The proposed TMO was formally advertised on Wednesday 3<sup>rd</sup> August 2022 for a period of 21 days, however, due to the amount of interest this received, the Royal Borough of Greenwich made the decision to extend the consultation for a further 7 days for any additional comments and/or objections, meaning the consultation ended on the 31<sup>st</sup> August 2022. All responses are included at Appendix 2

4.6 Notices were erected on lamp columns throughout Rochester Way and Welling Way on Wednesday 3<sup>rd</sup> August 2022. The proposal was also advertised in the local newspapers on the same date and directly affected businesses informed of the proposal and TMO.

4.7 As the proposal is located close to the borough boundary, the London Borough of Bexley was also consulted on the proposal. As a good working relationship between officers involved in Parking Design at both authorities exists direct contact was made between officers at Royal Borough of Greenwich and the Traffic Services Manager on Thursday 4<sup>th</sup> August 2022 to inform the London Borough of Bexley ("LB Bexley") of the start of the consultation of the scheme and the reasons it had been promoted. All plans were also issued electronically to the Traffic Services Manager for ease to view the scheme in detail. The LB Bexley have raised several objections to

the proposal, and these are listed in Appendix 2. As the LB Bexley were informed of the proposal on Thursday 4<sup>th</sup> August by email, they have also objected on the basis that procedural requirement had not been met as they had been informed 1 day later than the scheme had been formally advertised. As a result of this concern, the consultation period was extended by the Royal Borough of Greenwich for an additional 7 days until 31<sup>st</sup> August 2022. Therefore, as LB Bexley had received all information and responded to the consultation, re-advertisement of the TMO was not deemed necessary.

4.8 All comments and objections (including those from LB Bexley) received during the 28 days are provided in Appendix 2 alongside officer responses.

## **5 Available Options**

5.1 When considering comments and objections to TMOs, the Council, may after consideration, decide either to:

- i. make the TMO and implement the proposals without amendment; or
- ii. not make the TMO and abandon the proposals completely; or
- iii. make minor revisions to the scheme design before progression of the TMO.

5.2 Option (i) is to introduce the TMO as advertised and as depicted on the plans shown in Appendix I.

5.3 Option (ii) is effectively to 'do nothing' which will leave the kerbside parking and unrestricted area unchanged and therefore allowing the parking issues and concerns to continue.

5.4 Option (iii) is to propose an amended TMO

## **6 Preferred Option**

6.1 The preferred option is option (i) – the making of the TMO (as shown on the plans at Appendix I) and the implementation without any amendments.

6.2 If the above proposal is approved it will involve the Royal Borough of Greenwich preparing the TMOs.

## **7 Reasons for Recommendations**

- 7.1 The proposals will improve parking conditions in Rochester Way and Welling Well in a way that is consistent with the Council's Kerbside Management Policy Framework Action Plan by protecting parking amenity and persuading a move to sustainable transport modes. The scheme will help facilitate the passage on the road for vehicular traffic & preserve the amenities of the area through which the road runs.
- 7.2 To do nothing, would perpetuate the problems that currently exist within the affected areas and would be contrary to the objectives and principles of the Parking Strategy 2014 which was in place when the proposed scheme was being advertised in August 2022, as well as the objectives of the Transport Strategy that was subject to extensive consultation at that time that the proposed scheme was being advertised. The Transport Strategy has now been adopted and the subsequent Policy Framework Action Plans have been developed to help improve parking borough wide and reduce reliance on private motor vehicles. Officers have re-assessed the objections to the proposed scheme, against the Transport Strategy and Policy Framework Action Plans as more recently adopted and consider that the proposed scheme is in line with these recently adopted policy documents and that it will be of overall benefit to residents and businesses and consistent with the Council's on-going approach to help control and manage on street parking.

## **8 Consultation Results**

- 8.1 As set out as Section 4 of this report, statutory consultation on the proposals, which included advertising the TMO, was carried out from Wednesday 3<sup>rd</sup> August 2022 for a period of 28 days in total, including the extension of 7 days, ending on 31<sup>st</sup> August 2022.
- 8.2 Comments and objections were received in response to the statutory consultation, which have been appended in Appendix 2. All comments and objections were fully considered, and a response has been provided to each comment.
- 8.3 A large number of comments and objections were received in response to the statutory consultation, some of which indicate that the impact of the scheme would be significant for residents of more than one Ward. The objections received in response to the statutory consultation are therefore considered in this context to be significant and material.

## 9 Next Steps: Communication and Implementation of the Decision

- 9.1 If the recommendations are agreed, it is intended that the making of the requisite TMOs are advertised (Notice of Making) as appropriate and the proposals (waiting restrictions and payment parking) be implemented as per the plans in Appendix I at the earliest opportunity.

## 10 Cross-Cutting Issues and Implications

- 10.1 It has been noted that with increased restrictions on street, this may cause more pressure on the Parking Enforcement team.

Issue	Implications	Sign-off
<p><b>Legal</b> including Human Rights Act</p>	<p>RBG is empowered under the Road Traffic Regulation Act 1984 to make TMOs. TMOs are the legal documents that regulate the use of the highway for movement and parking</p> <p>The procedures for making TMOs is set out in Schedule 9 of the RTRA 1984 and the Local Authorities' Traffic Order (Procedure) (England and Wales) Regulations 1996 ("LATOPR")</p> <p>If the decision maker is supportive of the TMOs then a notice of intent must be published in the local newspaper and London Gazette</p> <p>The decision maker has authority to make the decision in this report under Part 3 of the Constitution Responsibility for Functions – determination of TMOs following publication and consultation for which there are significant and substantial or material objections. The Cabinet member is therefore</p>	<p>Eleanor Penn, Assistant Head of Legal Services (Planning &amp; Procurement), 13<sup>th</sup> December 2022</p>

	<p>authorised to make the decision recommended by this report.</p> <p>In determining what parking places on highways are to be designated under S45 of the RTRA 1984, the Council must consider both the interests of traffic and those of the owners and occupiers of adjoining property, and in particular the matters to which that the Council must have regard include:</p> <ul style="list-style-type: none"><li>(a) the need for maintaining the free movement of traffic;</li><li>(b) the need for maintaining reasonable access to premises; and</li><li>(c) the extent to which off-street parking accommodation, whether in the open or under cover, is available in the neighbourhood or the provision of such parking accommodation is likely to be encouraged there by the designation of parking places under this section.</li></ul> <p>Section 122 of the RTRA 1984 contains a duty on the Council when exercising powers under the Act, including in relation to parking, to exercise the functions conferred on the Council (so far as practicable) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. This includes having regard to the following set out in the legislation:</p>	
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	<p>(a) the desirability of securing and maintaining reasonable access to premises;</p> <p>(b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;</p> <p>(bb) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);</p> <p>(c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and</p> <p>(d) any other matters appearing to the Council to be relevant.</p> <p>Human Rights - Under the Human Rights Act 1998, local authorities have a duty to promote and protect human rights. TMOs and the subsequent changes to their original design affects all sections of the community. RBG carries out careful consultation to ensure that all road users are given a fair opportunity to air their views and express their needs. When considering the outcome of the statutory consultation consideration must be given to the nature and validity of the comments / representations and RBG's overarching objectives and public sector equality duty</p>	
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<p><b>Finance and other resources</b></p>	<p>The Cabinet Member for Climate Change, Environment and Transport is requested to consider the comments and objections as outlined in Appendix 2, following the promotion of the Traffic Management Order (TMO) at Rochester Way and Welling Way and to agree to the making of the TMO and the implementation of the proposed payment parking and time limited parking without amendment, as per the plans shown in Appendix 1.</p> <p>The cost of implementing the proposals is estimated at £10,000 which will be funded from Parking revenue resources.</p>	<p>Sue Rock Accountancy Business Change Manager 08/11/2022</p>
<p><b>Equalities</b></p>	<p>The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no apparent equality impact on end users.</p> <p>This report makes contribution to the Council's Equality and Equity Charter and the Council's Equality Objectives 2020-2024. Specifically, HEMS, contributing to a healthy and safe environment as well as contributions to social care and health. Also providing safer public realm environment.</p>	<p>Paul Nevard Senior Parking Projects Manager</p> <p>16<sup>th</sup> October 2022</p>
<p><b>Climate change</b></p>	<p>As with existing parking schemes borough wide, any surplus received through parking charges or fines being used to improve infrastructure for cycling and electrical vehicles, the parking proposals in this report should help support a greener Greenwich. This contributes to the</p>	<p>Paul Nevard Senior Parking Projects Manager</p> <p>16<sup>th</sup> October 2022</p>

	Carbon Neutral Plan as approved by Cabinet in November 2020.	
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## **I I Report Appendices**

I I.1 The following documents are to be published form part of the report:

- Appendix 1: Plans subject to statutory consultation – August 2022
- Appendix 2: Summary of objections and comments.

## **I 2 Background Papers**

- Parking Strategy for the Royal Borough of Greenwich, 2014
- Transport Strategy, 2022
- Kerbside Management Policy Framework Action Plan, 2022

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